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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

CHAPTER VII—AGRICULTURAL ADJUSTMENT ADMINISTRATION

PART 711—REGULATIONS GOVERNING PUBLICATION, NOTICE AND ADMINISTRATIVE REVIEW OF MARKETING QUOTAS ESTABLISHED UNDER TITLE III OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

AMENDMENT NO. 4 TO "REGULATIONS GOVERNING (A) APPLICATIONS AND HEARINGS UNDER SECTION 363 OF TITLE III OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938 RELATING TO ADMINISTRATIVE REVIEW OF MARKETING QUOTAS FOR TOBACCO, CORN, WHEAT, COTTON AND RICE ESTABLISHED UNDER SAID TITLE AND (B) THE PUBLICATION AND NOTICE OF SUCH QUOTAS UNDER SECTION 362 OF SAID ACT (PUBLIC, NO. 430—75TH CONGRESS—52 STAT. 31, AS AMENDED)"

By virtue of the authority vested in the Secretary of Agriculture under sections 362 and 363 of the Agricultural Adjustment Act of 1938, as amended, the above described regulations, as amended,¹ are amended as follows:²

1. The title of said regulations is amended to read as follows:

Regulations governing publication, notice and administrative review of marketing quotas established under Title III of the Agricultural Adjustment Act of 1938, as amended.

2. Section 711.1 (g) is amended to read as follows: "The term 'quota' means a marketing quota established under title III of the act."

3. Section 711.1 (h) is amended to read as follows: "The term 'acreage allotment' means an acreage allotment provided for under title III of the act."

¹ 3 FR. 1749, 5 FR. 4062, 6 FR. 1353.

² Revision in title and amendments of §§ 711.1, 711.2, 711.3, 711.4, 711.5, 711.8 and 711.10 are issued under the authority contained in sections 362 and 363, 52 Stat. 62, 63; 7 U.S.C. Supp. V, 1362, 1363.

4. Section 711.2 (a) is amended by inserting the words "or other compilation" immediately after the word "list."

5. Section 711.2 (b) is amended to read as follows:

A copy of the list or other compilation so prepared shall be posted for not less than thirty days in a conspicuous place in the county (or in the case of cotton in each local administrative area in the county if the county is divided into two or more local administrative areas for the purpose of the cotton marketing quota provisions of the act) and shall be permanently kept freely available for public inspection in the office of the county committee.

Section 711.3 is amended by inserting the words "or other compilation" immediately after the word "list" wherever such word appears.

7. Section 711.4 is amended as follows:

(1) by inserting the words "or other compilation" immediately after the word "list" wherever such word appears;

(2) by deleting paragraph (b) as said section in its entirety;

(3) by designating paragraph (c) as paragraph (b) and by amending said paragraph to read as follows: "(b) The normal yield per acre for each farm wherever applicable";

(4) by deleting paragraph (d) in its entirety;

(5) by changing the designations of paragraphs (e), (f), (g), and (h) to (c), (d), (e), and (f), respectively; and

(6) by changing the newly designated paragraph (f) to read as follows: "The marketing year, or the crop, whichever is applicable, for which such marketing quota is effective."

8. Section 711.5 (a) is amended (1) by deleting the words "tobacco, corn, wheat, or cotton" in the first sentence thereof and by substituting in lieu thereof the words "any other commodity", and (2) by inserting the words "or other compilation" immediately after the word "list" in the third sentence thereof.

9. Section 711.8 is amended by inserting the following immediately after the semi-colon at the end of paragraph

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(c) thereof: "or, if the quota depends upon a farm marketing excess, the amount of such excess which it is claimed should have been determined".

10. Section 711.10 is amended as follows:

(1) by inserting the words "as provided in § 711.7 of this article," immediately after the comma following the words "the filing of applications" in the first sentence thereof;

(2) by deleting the word "writing" where it appears for the second time in said sentence and by substituting in lieu thereof the word "notice"; and

(3) by inserting the following sentence at the end thereof, "Any such application shall be retained for appropriate action by the review committee."

Done at Washington, D. C., this 27th day of June, 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-4607; Filed, June 27, 1941; 4:03 p. m.]

[Form PN-514—Supplement 1]

PART 729—NATIONAL MARKETING QUOTA FOR PEANUTS

SUBPART A—1941

Regulations Pertaining to Marketing Quotas for Peanuts of the Crop Planted in the Calendar Year 1941¹

Section 729.22 is hereby amended by designating the existing section as paragraph (a) to be entitled "Records and reports of peanuts acquired from producers" and by adding the following new paragraph:

§ 729.22 *Records and reports by buyers and agents.*²

(b) *Record of resales of farmers' stock peanuts.* Any person who buys or acquires farmers' stock peanuts (that is, picked or threshed and unshelled peanuts in the condition in which such peanuts ordinarily are marketed by farmers) from a person other than the producer of the peanuts, who represents that such peanuts are being resold by him, shall keep a record and make a report on Form PN-515 with respect to each lot of such peanuts. One copy of Form PN-515 shall be forwarded to the person from whom the peanuts were acquired; one copy shall be retained by the person acquiring the peanuts; and a copy thereof shall be forwarded, as his report, to the State com-

¹ Issued under the authority contained in 52 Stat. 38 as amended (7 U.S.C., Supp. V, 1301 et seq.).

² 6 F.R. 2782.

mittee (for example, "State Committee, Agricultural Adjustment Administration, Athens, Georgia") of the State in which the office of such person is located. Reports shall be submitted on a weekly basis not later than the end of the calendar week following the week in which the peanuts were acquired. If the office of any person so acquiring the farmers' stock peanuts is not located in one of the States listed in paragraph (a), the report shall be made to the State office of the State listed which is nearest to his office. Each report shall contain the following information:

(1) The name and address of the person from whom the farmer's stock peanuts were acquired.

(2) The date the peanuts were acquired.

(3) The number of pounds of peanuts acquired.

(4) The name and address of the person acquiring the peanuts and his signature or the signature of his representative.

By virtue of the authority vested in the Secretary of Agriculture by Title III of the Agricultural Adjustment Act of 1938 (Public Law No. 430, 75th Congress, approved February 16, 1938; 52 Stat. 38, as amended; 7 U.S.C. 1301 et seq.), I do make, prescribe, publish, and give public notice of the foregoing amendment to the regulations governing marketing quotas for peanuts of the crop planted in the calendar year 1941 (designated as Form PN-514), issued by me on June 7, 1941.

Done at Washington, D. C., this 28th day of June 1941. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-4633; Filed, June 28, 1941;
11:51 a.m.]

CHAPTER VIII—SUGAR DIVISION OF THE AGRICULTURAL ADJUSTMENT ADMINISTRATION

[G. S. Q. R. Series B, No. 1, Rev. 2]

PART 821—SUGAR QUOTAS

SUGAR CONSUMPTION REQUIREMENTS AND QUOTAS FOR THE CALENDAR YEAR 1941

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1937, as amended, I, Paul H. Appleby, Acting Secretary of Agriculture, in order to carry out the powers vested in me by the said act, do hereby make, prescribe, publish, and give public notice of these regulations, which shall have the force and effect of law and shall remain in force and effect until amended or superseded by orders or regulations hereafter made by the Secretary of Agriculture.

§ 821.221 *Consumption requirements for 1941.* It is hereby determined, pursuant to section 201 of the Sugar Act of

1937, as amended (hereinafter referred to as the "act"), that the amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1941 is 7,125,561 short tons of sugar, raw value. (Sec. 201, 50 Stat. 904; 7 U.S.C. 1111)

§ 821.222 *Quotas for domestic areas—(a) Revised quotas.* There are hereby established, pursuant to section 202 of the said act, for domestic sugar-producing areas, for the calendar year 1941, the following quotas:

Area:	Quotas in terms of short tons, raw value
Domestic beet sugar	1,652,571
Mainland cane sugar	448,000
Hawaii	1,000,177
Puerto Rico	850,844
Virgin Islands	9,507

(Sec. 202, 50 Stat. 905; 7 U.S.C. 1112)

§ 821.223 *Other quotas—(a) Revised quotas.* There are hereby established, pursuant to section 202 of the said act, for foreign countries and the Commonwealth of the Philippine Islands, for the calendar year 1941, the following quotas:

Area:	Quotas in terms of short tons, raw value
Commonwealth of the Philippine Islands	1,098,068
Cuba	2,038,230
Foreign countries other than Cuba	28,164

(b) *Deficit in quota for Commonwealth of Philippine Islands.* It is hereby determined, pursuant to subsection (a) of section 204 of the said act, that, for the calendar year 1941, the Commonwealth of the Philippine Islands will be unable by an amount of 146,464,000 pounds of sugar, raw value, to market the quota established for that area in paragraph (a) of this section. (Sec. 202, 50 Stat. 905; 7 U.S.C. 1112; Sec. 204, 50 Stat. 905; 7 U.S.C. 1114)

§ 821.224 *Proration of quota for foreign countries other than Cuba—(a) Revised prorations.* The quota for foreign countries other than Cuba is hereby prorated, pursuant to section 202 of the said act, among such countries, as follows:

Country:	Prorations in pounds, raw value
Argentina	16,456
Brazil	1,351
Canada	636,898
China & Hongkong	325,237
Colombia	300
Costa Rica	23,250
Dominican Republic	7,527,680
Dutch East Indies	238,621
Guatemala	378,054
Haiti, Republic of	1,040,359
Honduras	3,874,838
Mexico	6,809,055
Nicaragua	11,537,930
Peru	12,546,094
Salvador	9,266,171
United Kingdom	395,848
Venezuela	327,368
Other countries	882,490
Subtotal	55,828,000
Unallotted reserve	500,000
Total	56,328,000

(b) *Additional prorations.* An amount of sugar equal to the deficit determined in § 821.223 (b) hereof is hereby prorated, pursuant to subsection (a) of section 204

of the said act, to foreign countries other than Cuba as follows:

Country:	Additional prorations in pounds, raw value
Argentina	42,207
Brazil	3,466
Canada	1,633,662
China and Hongkong	834,236
Colombia	774
Costa Rica	59,640
Dominican Republic	19,308,640
Dutch East Indies	612,063
Guatemala	969,710
Haiti, Republic of	2,668,541
Honduras	9,939,029
Mexico	17,465,350
Nicaragua	29,595,003
Peru	32,180,972
Salvador	23,767,903
United Kingdom	1,015,360
Venezuela	839,703
Other countries	2,263,601
Subtotal	143,199,860
Unallotted reserve	3,264,140
Total	146,464,000

(Sec. 202, 50 Stat. 905; 7 U.S.C. 1112; Sec. 204, 50 Stat. 905; 7 U.S.C. 1114)

§ 821.225 *Direct-consumption portion of quotas—(a) Domestic areas.* The quotas established in § 821.222 hereof for the following listed areas may be filled by direct-consumption sugar not in excess of the following amount for each such area:

Area:	Amount of direct-consumption sugar in terms of short tons, raw value
Hawaii	29,616
Puerto Rico	126,033
Virgin Islands	0

(b) *Other areas.* The quotas established in § 821.223 hereof for the following listed areas may be filled by direct-consumption sugar not in excess of the following amount for each such area:

Area:	Amount of direct over-consumption sugar in terms of short tons, raw value
Commonwealth of Philippine Islands	80,214
Cuba	375,000

(Sec. 207, 50 Stat. 907; 7 U.S.C. 1117)

§ 821.226 *Liquid sugar quotas.* There are hereby established, pursuant to section 208 of the said act, for foreign countries, for the calendar year 1941, quotas for liquid sugar as follows:

Country:	In terms of wine gallons of 72% total sugar content
Cuba	7,970,558
Dominican Republic	830,894
Other foreign countries	0

(Sec. 208, 50 Stat. 908; 7 U.S.C. 1118)

§ 821.227 *Restrictions on marketing and shipment.* (a) For the calendar year 1941, all persons are hereby forbidden, pursuant to section 209 of the said act, from bringing or importing into the continental United States from the Territory of Hawaii, Puerto Rico, the Virgin Islands, the Commonwealth of the Philippine Islands, or any foreign country, any sugar or liquid sugar after the quota for such area, or the proration of any such quota, has been filled.

(b) For the calendar year 1941, all persons are hereby forbidden, pursuant to section 209 of the said act, from shipping, transporting, or marketing in in-

terstate commerce, or in competition with sugar or liquid sugar shipped, transported, or marketed in interstate or foreign commerce, any sugar or liquid sugar produced from sugar beets or sugarcane grown in either the domestic beet sugar area or the mainland cane sugar area after the quota for such area has been filled. (Sec. 209, 50 Stat. 908; 7 U.S.C. 1119; Sec. 504, 50 Stat. 915; 7 U.S.C. 1174)

§ 821.228 *Inapplicability of quota regulations.* The regulations in this part shall not apply to (a) the first 10 tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba; (b) the first 10 tons, raw value, of sugar or liquid sugar imported from any foreign country, other than Cuba, for religious, sacramental, educational, or experimental purposes; (c) liquid sugar imported from any foreign country, other than Cuba, in individual sealed containers not in excess of 1½ gallons each, or (d) any sugar or liquid sugar imported, brought into, or produced or manufactured in, the United States for the distillation of alcohol, or for livestock feed, or for the production of livestock feed. (Sec. 212, 50 Stat. 909; 7 U.S.C. 1122)

§ 821.229 *Rescission of prior regulations.* §§ 821.221-821.228 shall supersede General Sugar Quota Regulations, Series 8, No. 1, Rev. 1, issued April 8, 1941.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 27th day of June 1941.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-4605; Filed, June 27, 1941;
4:03 p. m.]

[G. S. Q. R. Series 8, No. 1, Rev. 2, Supp. 1]

PART 821—SUGAR QUOTAS

PRORATION OF ADDITIONAL 1941 DEFICIT FOR PHILIPPINE ISLANDS

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1937, as amended, I, Paul H. Appleby, Acting Secretary of Agriculture, in order to carry out the powers vested in me by the said act, do hereby make, prescribe, publish, and give public notice of these regulations (constituting a supplement to General Sugar Quota Regulations, Series 8, No. 1, Revision 2), which shall have the force and effect of law and shall remain in force and effect until amended or superseded by orders or regulations hereafter made by the Secretary of Agriculture.

I.

Section 821.223 of General Sugar Quota Regulations, Series 8, No. 1, Revision 2, is hereby amended by adding the following new paragraph:

§ 821.223 *Other quotas.*

(c) *Additional deficit in quota for Commonwealth of Philippine Islands.* It is hereby determined, pursuant to subsection (a) of section 204 of the said act, that, for the calendar year 1941, the Commonwealth of the Philippine Islands will be unable by an additional amount of 84,346,000 pounds of sugar, raw value, to market the quota established for that area in paragraph (a) of this section. (Sec. 204, 50 Stat. 905; 7 U.S.C. 1114)

Section 821.224 of General Sugar Quota Regulations, Series 8, No. 1, Revision 2, is hereby amended by adding the following new paragraph:

§ 821.224 *Proration of quotas for foreign countries other than Cuba.*

(c) *Additional prorations.* An amount of sugar equal to the deficit determined in § 821.223 (c) hereof is hereby prorated, pursuant to subsection (a) of section 204 of the said Act, to foreign countries other than Cuba as follows:

Country:	Additional prorations in pounds, raw value
Argentina	24,861
Brazil	2,041
Canada	962,240
China & Hongkong	491,373
Colombia	455
Costa Rica	35,128
Dominican Republic	11,572,962
Dutch East Indies	360,511
Guatemala	571,169
Haiti, Republic of	1,571,794
Honduras	5,854,178
Mexico	10,287,248
Nicaragua	17,431,722
Peru	18,954,880
Salvador	13,999,507
United Kingdom	598,056
Venezuela	494,593
Other Countries	1,333,282
Subtotal	84,346,000
Unallotted reserve	0
Total	84,346,000

(Sec. 204, 50 Stat. 905; 7 U.S.C. 1114)

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the District of Columbia, city of Washington, this 27th day of June 1941.

[SEAL] PAUL H. APPLEBY,
Acting Secretary of Agriculture.

[F. R. Doc. 41-4606; Filed, June 27, 1941;
4:03 p. m.]

TITLE 16—COMMERCIAL PRACTICES

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. 3526]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF SANDERS MANUFACTURING COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection

with offer, etc., in commerce, of advertising novelties, rulers, calendars, fans, flyswatters, punchboards or any other merchandise, (1) selling, etc., any merchandise so packed or assembled that sales thereof to the public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punchboards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punchboards or other lottery devices are to be, or may be, used in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Sanders Manufacturing Company, Docket 3526, June 12, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, testimony and other evidence taken before duly appointed trial examiners of the Commission designated by it to serve in this proceeding, and the report of the trial examiners thereon, and the Commission having made its findings as to the facts and its conclusion that the respondent Sanders Manufacturing Company has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent Sanders Manufacturing Company, a corporation, its officers, directors, representatives, agents and employees, jointly or severally, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of advertising novelties, rulers, calendars, fans, flyswatters, punch boards or any other merchandise in commerce as "commerce" is defined in the Federal Trade Commission Act, shall forthwith cease and desist from:

1. Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made or may be made by means of a game of chance, gift enterprise or lottery scheme;

2. Supplying to, or placing in the hands of, others push or pull cards, punch boards or other lottery devices either with assortments of merchandise or separately which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing said merchandise to the public;

3. Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

¹ 3 F.R. 2546.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4621; Filed, June 28, 1941;
11:09 a. m.]

[Docket No. 4056]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

IN THE MATTER OF ETHEL'S CANDY & SALES
COMPANY, INC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or other merchandise, (1) selling, etc., any merchandise so packed or assembled that sales thereof to the public are to be, or may be, made by means of a game of chance, gift enterprise or a lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing said merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Ethel's Candy & Sales Company, Inc., Docket 4056, June 11, 1941]

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 11th day of June, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, testimony and other evidence taken before duly appointed trial examiners of the Commission designated by it to serve in this proceeding, the report of the trial examiners thereon, and brief filed by the attorney for the Commission, and the Commission having made its findings as to the facts and its conclusion that the respondent, Ethel's Candy & Sales Company, Inc., a corporation, has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Ethel's Candy & Sales Company, Inc., a corporation, its officers, directors, agents and employees, jointly and severally, directly or indirectly, or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, shall forthwith cease and desist from:

(1) Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made or may be made by means of a game of chance, gift enterprise or a lottery scheme;

(2) Supplying to or placing in the hands of others push or pull cards, punch boards or other lottery devices either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used or may be used in selling or distributing said merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall within sixty (60) days after service upon it of this order file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4622; Filed, June 28, 1941;
11:10 a. m.]

[Docket No. 4201]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

IN THE MATTER OF ASSOCIATED SALES
AGENCY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of clocks, knives, fountain pens, watches, cigarette cases, cigarette lighters, or any other article of merchandise, (1) selling, etc., any merchandise so packed or assembled that sales thereof to the public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards, or other lottery devices, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery devices, are to be, or may be, used in selling or distributing such merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or other lottery device or scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Associated Sales Agency, Docket 4201, June 13, 1941]

In the Matter of B. T. Clifton, Individually and Trading as Associated Sales Agency

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of June, A. D. 1941.

This proceeding having been heard¹ by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, the testimony and other evidence taken before W. W. Sheppard, a duly appointed trial examiner of the Commission designated by it to serve in this proceeding, the report of the trial examiner thereon, and brief filed by attorney for the Commission, and the Commission having made its findings as to the facts and its conclusion that the respondent, B. T. Clifton, individually and trading as Associated Sales Agency, has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, B. T. Clifton, individually and trading as Associated Sales Agency, or by any other trade name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of clocks, knives, fountain pens, watches, cigarette cases, cigarette lighters, or any other article of merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, shall forthwith cease and desist from:

(a) Selling or distributing any merchandise so packed or assembled that sales of such merchandise to the public are to be made, or may be made by means of a game of chance, gift enterprise or lottery scheme.

(b) Supplying to, or placing in the hands of others, push or pull cards, punch boards or other lottery device, either with assortments of merchandise or separately, which said push or pull cards, punch boards or other lottery device, are to be used or may be used in selling or distributing such merchandise to the public.

(c) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or other lottery device or scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4623; Filed, June 28, 1941;
11:10 a. m.]

[Docket No. 4303]

PART 3—DIGEST OF CEASE AND DESIST
ORDERS

IN THE MATTER OF GEORGE A. BOUNDS &
COMPANY

§ 3.45 (e) (1) *Discriminating in price—Indirect discrimination—Broker-*

¹ 5 F.R. 4744.

age payments. In connection with the sale and distribution of canned tomatoes and canned sweet potatoes in interstate commerce and in the District of Columbia, (1) granting or making any allowance or discounts in lieu of brokerage to any purchaser by selling commodities at a price reflecting a reduction from the prices at which sales of such commodities are currently being effected by respondents to other customers of an amount representing, in whole or in part, brokerage currently being paid by respondents to brokers for brokerage services rendered to respondents in effecting sales of such commodities to such purchasers thereof; and (2) granting or allowing in any manner or form whatever, directly or indirectly, anything of value as a commission, brokerage, or other compensation in any allowance or discount in lieu thereof to any purchaser in such transactions; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U.S.C., Supp. IV, sec. 13 (c)) [Cease and desist order, George A. Bounds & Company, Docket 4303, June 13, 1941]

In the Matter of George C. Bounds and William H. Phillips, Partners, Doing Business Under the Name and Style of George A. Bounds and Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondents named in the caption hereof, in which answer said respondents admit all the material allegations of fact set forth in said complaint to be true, and state that they waive all intervening procedure and further hearing as to said facts, and expressly waive the filing of briefs and oral argument, and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of section 2 (c) of the Clayton Act, as amended by the Robinson-Patman Act, approved June 19, 1936 (U.S.C. Title 15, sec. 13);

It is ordered, That the respondents, George C. Bounds and William H. Phillips, partners doing business under the name and style of George A. Bounds and Company, their representatives, agents and employees, in connection with the sale and distribution of canned tomatoes and canned sweet potatoes in interstate commerce and in the District of Columbia, do forthwith cease and desist from:

(1) Granting or making any allowances or discounts in lieu of brokerage to any purchaser by selling commodities at a price reflecting a reduction from the prices at which sales of such commodities are currently being effected by respondents to other customers of an amount

representing, in whole or in part, brokerage currently being paid by respondents to brokers for brokerage services rendered to respondents in effecting sales of such commodities to such purchasers thereof; and

(2) Granting or allowing in any manner or form whatever, directly or indirectly, anything of value as a commission, brokerage, or other compensation or any allowance or discount in lieu thereof to any purchaser in such transactions.

It is further ordered, That the respondents named in the caption hereof shall, within thirty (30) days after service upon them of this order, file with the Federal Trade Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4620; Filed, June 28, 1941;
11:09 a. m.]

[Docket No. 4395]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF CLAYTON CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or any other merchandise, (1) selling, etc., candy or any merchandise so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 33 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Clayton Candy Company, Docket 4395, June 12, 1941]

In the Matter of C. T. Clayton, an Individual Trading as Clayton Candy Company

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and brief in support of the complaint, respondent having waived the

right to file a brief and argue the matter orally, and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent, C. T. Clayton, individually, and trading as Clayton Candy Company, or trading under any other name, his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to, or placing in the hands of others, push or pull cards, punch boards or other lottery devices, either with assortments of candy or other merchandise or separately, which said push or pull cards, punch boards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4624; Filed, June 28, 1941;
11:10 a. m.]

[Docket No. 4401]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF THE BRIARWOOD CORPORATION

§ 3.99 (b) *Using or selling lottery devices—In Merchandising.* In connection with offer, etc., in commerce, of smoking pipes or any other merchandise, (1) selling, etc., pipes or any other merchandise so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with punch boards, push or pull cards, pull tabs, or other lottery devices, either with assortments of merchandise or separately, which said punch boards, push or pull cards, pull tabs, or other lottery devices

are to be, or may be, used in selling or distributing said pipes or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, The Briarwood Corporation, Docket 4401, June 12, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 12th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and respondent having waived filing of brief and oral argument and agreed to the submission of the case to the Commission on the complaint and answer and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, The Briarwood Corporation, a corporation, its respective officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of smoking pipes or any other merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling and distributing pipes or any other merchandise so packed and assembled that sales of such pipes or other merchandise to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to, or placing in the hands of others, punch boards, push or pull cards, pull tabs, or other lottery devices either with assortments of merchandise or separately, which said punch boards, push or pull cards, pull tabs, or other lottery devices are to be used, or may be used, in selling or distributing said pipes or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4625; Filed, June 28, 1941;
11:11 a. m.]

[Docket No. 4438]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF GORDON FOODS, INC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of nuts, nut products, or other merchandise, (1) selling, etc., nuts, nut products, or any other merchandise, so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., dealers, or others, with assortments of packages of nuts, nut products, or other merchandise which are to be, or may be, used to conduct a lottery, gaming device, or gift enterprise in the sale or distribution of such nuts, nut products, or other merchandise to the public; (3) packing or assembling in the same assortment packages of nuts, nut products or other merchandise for ultimate sale to the public, which individual packages are of uniform appearance, but some of which contain coupons or slips entitling the purchaser to receive such packages without cost; and (4) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Gordon Foods, Inc., Docket 4438, June 13, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondent, and the stipulation as to the facts entered into between the respondent herein and W. T. Kelley, Chief Counsel for the Commission, which provides, among other things, that without further evidence or other intervening procedure, the Commission may issue and serve upon the respondent herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Gordon Foods, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of nuts, nut products, or other merchandise, in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing nuts, nut products, or any other merchandise, so packed and assembled that sales of such

16 F.R. 1440.

nuts, nut products, or other merchandise, to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to or placing in the hands of dealers, or others, assortments of packages of nuts, nut products, or other merchandise which are to be used, or may be used, to conduct a lottery, gaming device, or gift enterprise in the sale or distribution of such nuts, nut products, or other merchandise to the public;

(3) Packing or assembling in the same assortment packages of nuts, nut products or other merchandise for ultimate sale to the public, which individual packages are of uniform appearance, but some of which contain coupons or slips entitling the purchaser to receive such packages without cost;

(4) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4626; Filed, June 28, 1941;
11:11 a. m.]

[Docket No. 4467]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

IN THE MATTER OF HELEN HARRISON CANDIES, INC.

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* In connection with offer, etc., in commerce, of candy or any other merchandise, (1) selling, etc., candy or any merchandise so packed and assembled that sales thereof to the general public are to be, or may be, made by means of a game of chance, gift enterprise or lottery scheme; (2) supplying, etc., others with punch boards, push or pull cards or other lottery devices either with assortments of candy or other merchandise or separately, which said punch boards, push or pull cards or other lottery devices are to be, or may be, used in selling or distributing such candy or other merchandise to the public; and (3) selling, etc., any merchandise by means of a game of chance, gift enterprise or lottery scheme; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Helen Harrison Candies, Inc., Docket 4467, June 11, 1941]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of June, A. D. 1941.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That respondent, Helen Harrison Candies, Inc., a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any merchandise so packed and assembled that sales of such candy or other merchandise to the general public are to be made, or may be made, by means of a game of chance, gift enterprise or lottery scheme;

(2) Supplying to, or placing in the hands of others, punch boards, push or pull cards or other lottery devices either with assortments of candy or other merchandise or separately, which said punch boards, push or pull cards or other lottery devices are to be used, or may be used, in selling or distributing such candy or other merchandise to the public;

(3) Selling or otherwise disposing of any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered that the respondent shall, within sixty (60) days after service upon it of this order file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4627; Filed, June 28, 1941;
11:11 a. m.]

TITLE 25—INDIANS

CHAPTER I—OFFICE OF INDIAN AFFAIRS

PART 161—LAW AND ORDER ON INDIAN RESERVATIONS

AMENDMENTS

JUNE 9, 1941.

This part, as amended, is further amended by changing the following sections to read as hereinafter indicated.

§ 161.1 *Application of regulations.* The regulations in this part relative to Courts of Indian Offenses shall apply to all Indian reservations on which such courts are maintained.

It is the purpose of the regulations in this part to provide adequate machinery

of law enforcement for those Indian tribes in which traditional agencies for the enforcement of tribal law and custom have broken down and for which no adequate substitute has been provided under Federal or State law.

No Court of Indian Offenses will be established on reservations where justice is effectively administered under State laws and by State law enforcement agencies.

The regulations in this part shall continue to apply to tribes organized under the Act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 461-479), until a Law and Order code has been adopted by the tribe in accordance with its constitution and by-laws and has become effective; and thereafter §§ 161.3, 161.4, 161.301, 161.302, 161.303, 161.304, 161.305 and 161.306 shall continue in effect as long as the Indian judges and Indian police are paid from appropriations made by the United States or until otherwise directed.

Nothing herein shall prevent the adoption by the Tribal Council of ordinances applicable to the individual tribe, and after such ordinances have been approved by the Secretary of the Interior they shall be controlling, and the regulations of this part which may be inconsistent therewith shall no longer be applicable to that tribe. (R. S. 463, 38 Stat. 586; 25 U.S.C. 2, 200)

§ 161.9 *Professional attorneys.* Professional attorneys shall not appear in any proceeding before the Court of Indian Offenses unless Rules of Court have been adopted as set forth in § 161.5 prescribing conditions governing their admission and practice before the Court. Every defendant shall have the right to have some member of the tribe represent him and in the event he has no such representation, a representative may be appointed by the judge. The judge may appoint a member of the tribe as prosecutor. (R.S. 463, 38 Stat. 586; 25 U.S.C. 2, 200)

§ 161.53 *Injury to public property.* Any Indian who shall, without proper authority, use or injure any public property of the tribe or the United States, shall be deemed guilty of an offense and upon conviction thereof shall be sentenced to labor for a period not to exceed 30 days. (R.S. 463, 38 Stat. 586; 25 U.S.C. 2, 200)

§ 161.63 *Giving venereal disease to another.* Any Indian who shall infect another person with a venereal disease shall be deemed guilty of an offense, and upon conviction thereof shall be sentenced to labor for a period not to exceed 3 months. The Court of Indian Offenses shall have authority to order and compel the medical examination and treatment of any person charged with violation of this section or found to be afflicted with any communicable disease of this nature. (R.S. 463, 38 Stat. 586; 25 U.S.C. 2, 200)

OSCAR L. CHAPMAN,
Assistant Secretary of the Interior.

[F. R. Doc. 41-4661; Filed, June 30, 1941;
10:02 a. m.]

TITLE 29—LABOR

CHAPTER V—WAGE AND HOUR DIVISION

PART 601—MINIMUM WAGE RATE IN THE RUBBER PRODUCTS MANUFACTURING INDUSTRY

IN THE MATTER OF THE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 22 FOR A MINIMUM WAGE RATE IN THE RUBBER PRODUCTS MANUFACTURING INDUSTRY

Whereas on February 17, 1941, pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, herein referred to as the Act, the Administrator of the Wage and Hour Division of the United States Department of Labor, by Administrative Order No. 85, appointed Industry Committee No. 22 for the Rubber Products Manufacturing Industry, herein called the Committee, and directed the Committee to recommend a minimum wage rate for the Rubber Products Manufacturing Industry in accordance with section 8 of the Act; and

Whereas the Committee included five disinterested persons representing the public, a like number of persons representing employers in the Rubber Products Manufacturing Industry, and a like number of persons representing employees in the Industry, and each group was appointed with due regard to the geographical regions in which the Rubber Products Manufacturing Industry is carried on; and

Whereas on March 27, 1941, the Committee, after investigating economic and competitive conditions in the Industry, filed with the Administrator a report containing its recommendation for a 40 cent minimum hourly wage rate in the Rubber Products Manufacturing Industry; and

Whereas after notice published in the FEDERAL REGISTER on April 5, 1941, Mr. Henry T. Hunt, Principal Hearings Examiner, the Presiding Officer designated by the Administrator, held a public hearing upon the Committee's recommendation at Washington, D. C., on April 21, 1941, at which all interested persons were given an opportunity to be heard; and

Whereas the complete record of the proceeding before the Presiding Officer has been transmitted to the Administrator; and

Whereas by notice given at the hearing and by publication, all persons who appeared at the hearing were given leave to file briefs on or before May 7, 1941; and

Whereas no requests for oral argument having been received, oral argument on the Committee's recommendation was dispensed with in this proceeding; and

Whereas the Administrator, upon reviewing all the evidence adduced in this proceeding and giving consideration to the provisions of the Act with special reference to sections 5 and 8, has concluded that the Industry Committee's recommendation for the Rubber Products

Manufacturing Industry, as defined by Administrative Order No. 85, is made in accordance with law, is supported by the evidence adduced at the hearing, and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of the Act; and

Whereas the Administrator has set forth his decision in an opinion entitled "Findings and Opinion of the Administrator in the Matter of the Recommendation of Industry Committee No. 22 for a Minimum Wage Rate in the Rubber Products Manufacturing Industry," dated this day, a copy of which may be had upon request addressed to the Wage and Hour Division, United States Department of Labor, Washington, D. C.

Now, therefore, it is ordered, That:

§ 601.1 *Approval of recommendation of industry committee.* The Committee's recommendation is hereby approved.*

*§§ 601.1 to 601.6, inclusive, issued under the authority contained in section 8, 52 Stat. 1064; 29 U.S.C., Sup. IV, 20 p.

§ 601.2 *Wage rate.* Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Act by every employer to each of his employees in the Rubber Products Manufacturing Industry who is engaged in commerce or in the production of goods for commerce.*

§ 601.3 *Posting of notices.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the Rubber Products Manufacturing Industry shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this Order as shall be prescribed from time to time by the Wage and Hour Division of the United States Department of Labor.*

§ 601.4 *Definition of the rubber products manufacturing industry.* The Rubber Products Manufacturing Industry, to which this Wage Order shall apply, is defined as follows:

The manufacture of all products which have as an ingredient any form of natural rubber (including latex), reclaimed rubber, scrap rubber, compounded rubber, rubber derivatives, balata, gutta-percha, or synthetic rubber, including parts for use in other products, and including footwear made by the vulcanizing of the entire article or the vulcanizing (as distinct from cementing) of the sole to the upper; the manufacture of reclaimed rubber; and the preparation of scrap rubber for use in the manufacture of reclaimed rubber or rubber products.

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Provided, however, That the manufacture of the following shall not be included:

(a) Any product the manufacture of which is covered by an order of the Administrator defining an industry, and approving the recommendations of an industry committee or appointing an industry committee for such industry, issued prior to the signing of Administrative Order No. 85 appointing Industry Committee No. 22 for the Rubber Products Manufacturing Industry.

(b) Abrasive wheels, brake linings, and insulated wire and cable.

The term "synthetic rubber" as used herein means a synthetic substance which has physical properties resembling those of natural rubber.

The term "preparation" as used herein means all operations involved in making scrap rubber suitable for use in the manufacture of reclaimed rubber or rubber products, and includes, but not by way of limitation, the separating, sorting and assembling of scrap rubber. It does not include, however, the mere collection and handling of scrap rubber by waste material dealers who perform no operations changing the shape or form of such scrap rubber.*

§ 601.5 *Scope of the definition.* The definition of the rubber products manufacture, shipping, and selling occupations: in the industry which are necessary to the production of products covered by the definition, including clerical, maintenance, shipping, and selling occupations; *Provided, however,* That this definition does not cover clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, or when carried on in an establishment the greater part of whose sales are of products not covered in the definition: *And provided, further,* That where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay he shall be paid the highest of such rates for such workweek, unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.*

§ 601.6 *Effective date.* This Wage Order shall become effective July 28, 1941.

Signed at Washington, D. C., this 27th day of June 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-4670; Filed, June 30, 1941; 11:59 a. m.]

TITLE 30—MINERAL RESOURCES

CHAPTER III—BITUMINOUS COAL DIVISION

[Order No. 329]

PART 308—REPORTS AND RECORDS

AN ORDER DIRECTING CODE MEMBERS, THEIR SALES AGENTS, REGISTERED DISTRIBUTORS AND REGISTERED FARMERS COOPERATIVE ORGANIZATIONS TO FILE WITH THE DIVISION CERTAIN INFORMATION

The Director being of the opinion that in order to carry out and administer the provisions of the Bituminous Coal Act of 1937 it is necessary that the information, as hereinafter described, be maintained and filed with the Division, as hereinafter provided, therefore,

Pursuant to the provisions of sections 2 (a), 4 II (a) and 10 (a) of the Bituminous Coal Act of 1937, Part 304 (Rules and Regulations for the Registration of Distributors and Farmers' Cooperative Organizations), 5 F.R. 2345, and other authority granted by law,

It is ordered, That Part 308 is hereby amended by adding thereto § 308.24 to read as follows: § 308.24 *Trade marks, trade names, slogans or other designations.*

Each code member or his sales agent, each registered distributor and each registered farmers' cooperative organization shall file with the Division all trade marks, trade names, slogans or other designations employed by said code member, his sales agent, said registered distributor, or said registered farmers' cooperative organization in the sale of coal, together with a complete description of the coal covered by the trade marks, trade names, slogans or other designations, and a statement that only such coals as are described by him for each such trade mark, trade name, slogan or other designation shall be sold thereunder.

The above information shall be filed in triplicate at the Offices of the Bituminous Coal Division, 734 15th Street, Northwest, within thirty (30) days from the date hereof. Thereafter no change shall be made in any trade name, trade mark, slogan or other designation previously filed with the Division, or in the coal covered by any such trade name, trade mark, slogan or other designation, and no new trade name, trade mark, slogan or other designation shall be employed, until ten days after the information required hereunder is filed in the manner set forth herein.

All reports filed pursuant to this Order shall bear an appropriate indication that

they are submitted pursuant to Order No. 329. (Sec. 2 (a), 4 II (a) and 10 (a). 50 Stat. 72, 77, 88; 15 U. S. C. Sup. 829 (a), 833 (a), 840 (a).
Dated: June 27, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-4855; Filed, June 30, 1941; 9:57 a. m.]

[Docket No. A-896]

PART 327—MINIMUM PRICE SCHEDULE, DISTRICT NO. 7

ORDER GRANTING TEMPORARY RELIEF AND
CONDITIONALLY PROVIDING FOR FINAL RE-
LIEF IN THE MATTER OF THE PETITION OF
DISTRICT BOARD 7 FOR THE ESTABLISH-
MENT OF PRICE CLASSIFICATIONS AND

The Director finding that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The Director deeming his action necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith § 327.21 (*High volatile coals: Alphabetical list of code members*) is supplemented to include the price classifications and minimum prices set forth in the schedule marked Supplement R hereinafter set forth and hereby made a part hereof.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 7

NOTE. The material contained in this Supplement R is to be read in the light of the classification, prices, instructions, exceptions and other provisions contained in Part 327, Minimum Price Schedule for District No. 7 and Supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 327.21 *High volatile coals: Alphabetical list of code members—Supplement R*

[Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

			Price classifications by size group Nos.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
Code member		Mine name	Sub-dist. No.	High volatile seam	Freight origin group No.	For destinations other than Great Lakes														For Great Lakes cargo only																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
						1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14	15, 16, 17	18, 19, 20, 21	22	23	24	25	26	27	1, 2	3, 4	5, 6	7	8	9	10	11, 12, 13, 14, 15, 16, 17, 21	18, 19, 20, 22, 23, 24, 25, 26, 27																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
87	Mary Frances Coal Company, The.....	Ingram Branch.....	2	Eagle.....	15	L	L	F	F	E	E	C	E	A	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

*Indicates coal in this size group previously classified and priced.
†Indicates no classifications effective for these size groups.

[F. R. Doc. 41-4886; Filed, June 27, 1941; 10:47 a. m.]

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter, and applications to stay, terminate, or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless the Director shall otherwise order.
Dated: June 20, 1941.

[SEAL] H. A. GRAY,
Director.

[Docket No. A-568]

PART 328—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 8

ORDER OF THE DIRECTOR GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 8 FOR RECLASSIFICATION IN SIZE GROUPS 18-21, INCLUSIVE, COALS PRODUCED BY EDMONT FUEL COMPANY FOR SHIPMENT TO ALL MARKET AREAS

An original petition having been filed with the Bituminous Coal Division by District Board 8, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting reclassification of the coals of Edgemont Fuel Company, in Size Groups 18-21, from "F" to "G";

Pursuant to an Order of the Director, a hearing having been held in this matter on February 14, 1941, before a duly designated Examiner of the Bituminous Coal Division, at a hearing room of the Division, in Washington, D. C., at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

Temporary relief pending final disposition of the original petition having been granted by Order of the Director dated January 29, 1941, 6 F.R. 696; the preparation and filing of an Examiner's report having been waived and the matter thereupon having been submitted to the Director;

The Director having made Findings of Fact and Conclusions of Law and having rendered an opinion in this matter which is filed herewith;

Now, therefore, it is ordered, That § 328.11 (Alphabetical list of code members—High volatile coals) in the Schedule of Effective Minimum Prices for District No. 8 for All Shipments Except Truck be and it is hereby amended as follows:

The following price classifications and corresponding minimum prices are established for the coals of the Edgemont Mine (Mine Index No. 185) of the Edgemont Fuel Company:

Size groups, 18-21; for destinations other than Great Lakes, "G"; for Great Lakes cargo only, "G".

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4656; Filed, June 30, 1941;
9:57 a. m.]

[Docket No. A-696]

PART 332—MINIMUM PRICE SCHEDULE,
DISTRICT NO. 12

ORDER OF THE DIRECTOR GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF DISTRICT BOARD 12, FOR REVISION OF THE EFFECTIVE MINIMUM PRICES ESTABLISHED FOR COALS IN SIZE GROUPS 1-7 INCLUSIVE, PRODUCED IN DISTRICT NO. 12, FOR SHIPMENT TO JUVENILE, IOWA

An original petition was filed with the Bituminous Coal Division on February 24, 1941, by District Board 12, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting a revision of the effective minimum prices established for coals in Size Groups 1-7, inclusive, produced in District 12 for rail shipment to Juvenile, Iowa.

Pursuant to an Order of the Director dated March 4, 1941, a hearing was held in this matter on the prayers for tem-

porary and permanent relief on March 19, 1941, before a duly designated examiner of the Bituminous Coal Division, at the Central Fire Station, Des Moines, Iowa, at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard.

The preparation and filing of a report by the Examiner were waived and the matter thereupon submitted to the Director.

The Director has made Findings of Fact and Conclusions of Law and has rendered an Opinion in this matter, which are filed herewith.

Now, therefore, it is ordered, That § 332.4 (General prices) of the Schedule of Effective Minimum Prices for District No. 12 in the following Size Groups be and it is hereby amended so that the minimum f. o. b. mine prices, the base rates and delivered prices for all shipments except truck to Juvenile, Iowa, will read as follows:

	Size group									
	1	2	3	4	5	6	7	8	9	10
Mine price.....	285	275	265	260	285	275	275	200	255	100
Base rate.....	180	180	180	180	180	163	163	103	103	103
Delivered price.....	465	455	445	440	465	438	438	303	358	203

It is further ordered, That the above minimum prices are not subject to the note contained on page 2 of Supplement No. 1 to the Schedule of Effective Minimum Prices for District 12 for All Shipments Except Truck.

Dated: June 26, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4657; Filed, June 30, 1941;
9:57 a. m.]

[Docket No. A-277]

PART 340—MINIMUM PRICE SCHEDULE
DISTRICT NO. 20

ORDER OF THE DIRECTOR GRANTING PERMANENT RELIEF IN THE MATTER OF THE PETITION OF THE BITUMINOUS COAL PRODUCERS' BOARD FOR DISTRICT NO. 20 FOR MODIFICATION OF EFFECTIVE MINIMUM PRICES FOR COALS PRODUCED IN DISTRICT NO. 20 FOR SHIPMENT INTO MARKET AREA 247

An original petition having been filed with the Bituminous Coal Division by District Board 20, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, proposing and seeking certain reductions in the f. o. b. mine prices for the rail mines in Subdistrict 1 for shipment to Market Area 247 (Seattle, Washington and switching limits thereof);

Pursuant to an appropriate order of the Director, this proceeding having been consolidated for the purpose of hearing with Dockets A-276, A-278 and A-279, and a hearing having been held in this matter before a duly designated examiner of the Bituminous Coal Division, at a hearing room of the Division in Salt Lake City, Utah, at which all interested parties were afforded an opportunity to be present, adduce evidence, cross-examine witnesses, and otherwise be heard;

Temporary relief, pending final disposition of the original petition, having been granted in part by Order of the Director dated December 16, 1940;

The preparation and filing of a report by the Examiner having been waived and the matter thereupon having been submitted to the Director;

The Director having made Findings of Fact and Conclusions of Law and having rendered an opinion in this matter, which are filed herewith.

Now, therefore, it is ordered, That § 340.5 (General Prices: minimum prices for shipment via rail transportation) in the Schedule of Effective Minimum Prices for District No. 20 for All Shipments should be amended as follows:

¹No disposition is made of the matters contained in Dockets A-276, A-278 and A-279 in this order as these dockets will be the subject of separate treatment by this Division.

Minimum f. o. b. mine prices in cents per net ton for shipment via rail transportation into market areas shown

	Size groups														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
SUBDISTRICT NO. 1 EXCEPT CHESTERFIELD COAL CO., CHESTERFIELD MINE															
MARKET AREAS															
234, 237 through 241 and 247 through 254.....	420	355	345	345	330	290	265	225	215	185	175	150	270	240	215
CHESTERFIELD COAL CO. CHESTERFIELD MINE															
MARKET AREAS															
234, 237 through 241 and 247 through 254.....	410	345	335	335	320	280	255	215	205	175	165	140	260	230	205

¹ This price shall be 215 when sold to an on-line railroad for locomotive fuel use. When sold to an off-line railroad for locomotive fuel use the price shall be 215, less the freight rate differential over the freight rate from other mines in Subdistrict No. 1—Castlegate—to such off-line railroad; provided, however, That such reduction shall be limited to 10 cents per ton in any case where such freight rate differential exceeds that amount.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4658; Filed, June 30, 1941; 9:57 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

CHAPTER I—MONETARY OFFICES

PART 131—GENERAL LICENSES UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERAL LICENSE NO. 29, AS AMENDED, UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.¹

JUNE 27, 1941.

General License No. 29 is hereby amended to read as follows:

§ 131.29 *General License No. 29.* The provisions of the following general licenses are hereby made applicable to General Ruling No. 6 accounts to the extent that such general licenses are not otherwise applicable by reason of their specifying blocked accounts or accounts of blocked countries or nationals thereof:

General License No. 1
General License No. 2
General License No. 4
General License No. 5
General License No. 27

[SEAL]

E. H. FOLEY, JR.

Acting Secretary of the Treasury.

[F. R. Doc. 41-4608; Filed, June 27, 1941;
4:18 p. m.]

¹ Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; 54 Stat. 179; Ex. Order 8389, April 10, 1940, as amended by Ex. Order 8785, June 14, 1941; Regulations, April 10, 1940, as amended June 14, 1941.

PART 132—GENERAL RULINGS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO

GENERAL RULING NO. 6¹, AS AMENDED, SUPPLEMENTING GENERAL RULING NO. 5² UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

JUNE 27, 1941.

General Ruling No. 6 is hereby amended to read as follows:

§ 132.6 *General Ruling No. 6.* (a) The provisions of General Ruling No. 5 of June 6, 1940, and all instructions issued pursuant thereto, are hereby continued in full force and effect: *Provided*, That any Federal Reserve Bank to whom securities or evidences thereof (hereinafter referred to as securities) have been forwarded under such general ruling may, as fiscal agent of the United States, deliver the securities, at any time, under appropriate arrangements with the addressee of the securities, to a domestic bank.

(b) Prior to such delivery by a Federal Reserve Bank of any such security, a complete description of the security shall be made or received and retained by such Federal Reserve Bank, and in any case in which a security bears a stamp, seal or other mark not lending itself to precise description, a photostat of such mark shall be made at the expense of the addressee and retained by such Federal Reserve Bank. This requirement may be dispensed with in any case in which appropriate arrangements are entered into for furnishing such Federal Reserve

Bank with this description within a reasonable time after such delivery.

(c) Upon the delivery of any such security by a Federal Reserve Bank to any domestic bank, such bank shall execute such form of receipt as may be prescribed by the Secretary of the Treasury.

(d) Any domestic bank to which any such security shall be delivered by a Federal Reserve Bank shall place such security in a General Ruling No. 6 account in such bank.

(e) Any outstanding account in which securities or the proceeds thereof have been placed pursuant to the provisions of General Ruling No. 6 prior to this amendment shall be deemed to be a General Ruling No. 6 account.

(f) Federal Reserve Banks shall release any security referred to in paragraph (a) hereof, or shall authorize the release of the contents of any General Ruling No. 6 account, if and when the Treasury Department is satisfied that no blocked country, or national thereof, has, at any time, on or since the effective date of the Order, had any interest in such security or in such account.

(g) Any application for a license authorizing any transaction or dealing with respect to a General Ruling No. 6 account (including the contents thereof) shall specifically indicate that such account is a General Ruling No. 6 account.

(h) As used in this general ruling and in any other rulings, licenses, instructions, etc., the term "General Ruling No. 6 account" shall mean an account of the type referred to in paragraphs (d) and (e) hereof, and no payments, transfers, or withdrawals may be made from, and no other transaction or dealing may be effected with respect to, any such account except pursuant to paragraph (f) above or pursuant to license, provided, that:

(1) No license shall be deemed to authorize transactions with respect to a General Ruling No. 6 account unless the provisions of such license are specifically made applicable to a General Ruling No. 6 account.

(2) In the event that any security placed in a General Ruling No. 6 account is sold or otherwise dealt with under license, except a license of the type referred to in subparagraph (3) below, the proceeds thereof shall be placed in a General Ruling No. 6 account in the same domestic bank and in the same name in which the security sold or otherwise dealt with was held.

(3) The contents of a General Ruling No. 6 account cannot be transferred to a blocked account, except pursuant to a license specifically authorizing such transfer. Applications for licenses authorizing the transfer of the contents of any General Ruling No. 6 account to a blocked account shall be accompanied by

¹ 5 F.R. 2807.

² 5 F.R. 2159.

adequate evidence respecting the interest therein of blocked countries or nationals thereof.

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 41-4609; Filed, June 27, 1941;
4:18 p. m.]

CHAPTER III—BUREAU OF THE PUBLIC DEBT

[1941 First Amendment to Department Circular No. 530, Fourth Revision]

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

WASHINGTON, June 26, 1941.

To Owners of United States Savings Bonds, and Others Concerned:

Sections 315.2 (c) (2), first sentence, and 315.13 (c) (3) of Department Circular No. 530, Fourth Revision,¹ dated April 15, 1941, are hereby revised to read as follows:

§ 315.2 Registration. * * *

(c) Form of registration.

(2) In the names of fiduciaries of a single duly constituted and wholly independent trust estate considered as an entity in one of the forms set forth in the following subparagraphs. (R.S. 161, 5 U.S.C. 22; the Second Liberty Bond Act, as amended; sec. 3, Public Debt Act of 1941)

§ 315.13 Fiduciaries * * *

(c) Reissue in the name of, or payment to, the person entitled.

(3) Upon termination of guardianship estate. A savings bond registered in the name of a guardian or similar legal representative of the estate of a minor or incompetent, if the estate is terminated during the ward's lifetime, will be reissued in the name of the former ward upon the representative's request and certification that the former ward is entitled and has agreed to reissue in his name, or will be paid to or reissued in the name of the former ward upon his own request, supported in either case by satisfactory proof that his disability has been removed. Certification by the representative that a former minor has attained his majority, or that the legal disability of a female ward has been removed by marriage, if the state law so provides, will ordinarily be accepted as sufficient, but if the disability is removed by court order a duly certified copy of the order will be necessary. Upon the death of the ward a bond registered in the name of his guardian or similar representative will be reissued in accordance with the provisions of § 315.16 as though it were registered in the name of the ward alone. (R.S. 161, 5 U.S.C. 22; the

Second Liberty Bond Act, as amended; sec. 3, Public Debt Act of 1941)

[SEAL] HENRY MORGENTHAU, Jr.,
Secretary of the Treasury.

[F. R. Doc. 41-4611; Filed, June 28, 1941;
10:19 a. m.]

TITLE 32—NATIONAL DEFENSE

CHAPTER VII—SELECTIVE SERVICE SYSTEM

[Amendment No. 75]

TO AMEND PROCEDURE FOR SERIALY NUMBERING ALL CARDS SO AS TO INCLUDE CARDS OF THE SECOND REGISTRATION

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, I hereby amend, effective July 1, 1941, the Selective Service Regulations, Volume Three¹ by striking out the present section 15 and substituting in lieu thereof the following:

SECTION XV—SERIAL NUMBERING OF CARDS, SECOND REGISTRATION

	Paragraph
Receiving and sorting Registration Cards.....	301
Shuffling Registration Cards.....	302
Serial numbering.....	303
Serial numbers to be used only once.....	304
Serial numbering of skipped cards.....	305
Renumbering cards having the same serial number.....	306
Serial numbering two cards for same registrant.....	307
Disposition of card having two serial numbers.....	308
Disposition of illegibly numbered cards.....	309
Serial numbering cards received late.....	310
Preparing List of Registrants (Form 3).....	311
Telegraphic reports on serial numbering.....	312

301. Receiving and sorting Registration Cards. a. On July 2, 1941, following the second registration, the chairman of the local board shall convene a meeting of the local board for the purpose of preparing a report of the preceding day's registration. Upon the convening of such meeting, the chairman shall place before the local board all packages of completed Registration Cards, unused Registration Cards, unused Registration Certificates, and all Registration Cards and Registration Certificates which have been spoiled and not completed and are therefore unfit for further use.

b. The local board shall then check each group of cards and shall prepare and mail to the State Director of Selective Service a report as follows:

REPORT OF SECOND REGISTRATION

We, the undersigned, members of Local Board No. _____, County of _____, State of _____, make our report of the second registration, held July 1, 1941, as follows:

1. (a) Total number of Registration Cards received by chairman of the local board _____
- (b) Number of completed Registration Cards _____

(c) Number of unused Registration Cards _____

(d) Number of spoiled and uncompleted Registration Cards _____

(e) Total number of Registrations Cards accounted for (total of (b), (c), and (d) above) _____

2. (a) Total number of Registration Certificates received by chairman of local board _____

(b) Number of Registration Certificates issued to registrants (should be the same number as 1 (b) above) _____

(c) Number of unused Registration Certificates _____

(d) Number of spoiled and uncompleted Registration Certificates _____

(e) Total number of Registration Certificates accounted for (total of (b), (c), and (d) above) _____

Date _____

(Chairman)

(Members of Local Board)

c. After completing its accounting of the Registration Cards and Registration Certificates, the spoiled and uncompleted Registration Cards and Registration Certificates shall be destroyed in the presence of the members of the local board. The local board shall then deliver to the chief clerk of the local board all unused Registration Cards and Registration Certificates, and the same shall be retained by the local board in the custody of the chief clerk for future use.

d. The local board shall then proceed to sort out the completed Registration Cards in the following manner:

1. It shall sort out and remove the Registration Card of each registrant whose place of residence, as shown on line 2 of the Registration Card, is outside of its local board area, and shall immediately mail each such card to the proper local board if it is certain what local board has jurisdiction over each such registrant. If it is not certain of the proper local board, then it shall mail each such card to the State Director of Selective Service having jurisdiction over the place of residence shown on line 2 of the Registration Card.

2. When the local board has disposed of all Registration Cards which do not belong in its local board area, it shall sort the remaining Registration Cards by color into two separate piles, placing all white Registration Cards in one pile and placing all melon-colored Registration Cards in the other pile.

3. The local board shall then carefully check each Registration Card in the pile of white cards to determine that the registrant was properly registered on a white card. This fact can be easily determined by the answer to Question 5 (Date of Birth) on the front of the Registration Card. If the date of birth of the registrant, as shown in the answer to Question 5, was on or before October 16, 1919, the Registration Card of such registrant should be white. If any registrant is found to have been improperly registered on a white Registration Card and such registrant should have been registered on a melon-colored Registration

¹ 6 F.R. 2191.

¹ 5 F.R. 3923.

Card, then the local board shall cut a strip from the top of an unused melon-colored Registration Card and shall paste this strip across the front and at the top of such white Registration Card. Such Registration Card shall then be considered as a melon-colored card and shall be placed in the pile of melon-colored Registration Cards.

4. The local board shall then carefully check each Registration Card in the pile of melon-colored cards to determine that the registrant was properly registered on a melon-colored card. This fact can be easily determined by the answer to Question 5 (Date of Birth) on the front of the Registration Card. If the date of birth of the registrant, as shown in the answer to Question 5, was on or after October 17, 1919, and on or before July 1, 1920, the Registration Card of such registrant should be melon colored. If any registrant is found to have been improperly registered on a melon-colored Registration Card and should have been registered on a white Registration Card, then the local board shall cut a strip from the top of an unused white Registration Card and shall paste this strip across the front and at the top of such melon-colored Registration Card. Such Registration Card shall then be considered as a white card and shall be placed in the pile of white Registration Cards.

e. The local board shall then mix all the white Registration Cards in such a manner that their order and the assignment to each of a serial number becomes purely a matter of chance. The local board shall then assign to each of these cards in their sequence, after they are mixed, a serial number from the first registration as though each were a late registrant commencing with the serial number following the largest serial number on the first registration already used by the local board. Then, according to such serial number, the local board will proceed to assign to each such white Registration Card an order number in the manner provided in Paragraph 316. The local board shall then proceed to provide for the forms and records of such persons registered on white Registration Cards in the manner provided in Paragraph 318.

f. The local board shall not do anything further with reference to the melon-colored Registration Cards at this meeting. The melon-colored Registration Cards will be held until July 9, 1941, when the local board will meet again. Any melon-colored Registration Card received before the July 9, 1941, meeting will be added to the pile of melon-colored Registration Cards.

302. *Shuffling Registration Cards.* At the meeting of July 9, 1941, the local board shall thoroughly shuffle and mix the pile of melon-colored cards in such a manner that the location of any individual card with respect to other cards in the pile—and the number any such card later receives—will be purely a matter of chance.

303. *Serial numbering.* The local board shall then proceed to place on each such melon-colored Registration Card a serial number with the prefix letter "S" in the space marked "Serial Number." The card that is first in the pile after the shuffle shall be numbered "S-1," the next card, "S-2," and so on until all such melon-colored cards are numbered consecutively. Each card shall have one, and only one, whole serial number, such as "S-267." No letters or fractions shall be used after the number in such serial numbering of these cards. Whether pen or rubber stamp is used, the serial number shall be in black ink.

304. *Serial numbers to be used only once.* All white Registration Cards being assigned serial numbers from the registration of October 16, 1940, shall be considered in the first registration. All melon-colored Registration Cards being assigned serial numbers from the registration of July 1, 1941, and with the distinguishing prefix letter "S," shall be considered in the second registration. Serial numbers were used only once in the serial numbering for the first registration. Likewise, a serial number shall be used only once in the serial numbering for the second registration. If any Registration Card is canceled, either in the first registration or in the second registration because of duplication or any other reason, the serial number on the canceled Registration Card shall not be put on another card.

305. *Serial numbering of skipped cards.* If a check of the Registration Cards in the second registration shows that any Registration Card was not given a serial number, the local board shall, if any serial numbers were skipped, give the card one of the skipped numbers, picked by lot; or, if no numbers were skipped, the local board shall give the card the serial number following the largest serial number on the second registration already used by the local board.

306. *Renumbering cards having the same serial number.* If two Registration Cards in the second registration have the same serial number, the local board shall pick one of the cards by lot to keep that number. It shall renumber the other card as prescribed in Paragraph 305.

307. *Serial numbering two cards for same registrant.* a. If two cards for the same registrant are received in the second registration and this fact is ascertained before the national lottery held for the second registration, whether before or after serial numbering, the local board shall select one card by lot and cancel the other card by marking it "Canceled. Duplicate." If this fact is not ascertained before the national lottery held for the second registration, the cards should be treated just as if they were cards for two different registrants so far as serial numbering is concerned and shall be assigned an order number in the manner provided in Paragraph 315a.

b. If a registrant is registered with two local boards in the second registration,

each local board shall put a serial number on the card it has, just as if he were registered with only one local board. He may, before the national lottery for the second registration, select either local board and request the local boards involved to record such selection. He shall be given a receipt showing the date and hour of the request and the local boards involved, signed by a local board member. The local board not selected shall mark his card "Canceled. Double Registration." If he does not make a selection before the national lottery is held for the second registration, he shall report for induction to the local board that calls him first.

308. *Disposition of card having two serial numbers.* If a melon-colored Registration Card of any registrant has on it two serial numbers, neither of which is also on another melon-colored card, the local board shall give it the smaller of the two numbers. If either of the numbers is on another melon-colored card, the local board shall give to the card having two numbers the number which is not on another card. If both of the serial numbers are on other melon-colored cards the local board shall cancel both numbers and renumber the card with a new serial number, in the manner provided in Paragraph 305.

309. *Disposition of illegibly numbered cards.* If a melon-colored card has on it a serial number that cannot be read, the local board shall try to find out what the serial number is by looking for gaps in the serial numbers of clearly numbered cards of the second registration. If by this method the local board can tell what the serial number is, it shall print that number clearly. If the local board cannot tell what the serial number is, it shall number the card, giving it a serial number in the manner provided in Paragraph 305.

310. *Serial numbering cards received late.* a. An unnumbered melon-colored Registration Card received after the serial numbering is completed for the second registration shall be given a serial number in the manner provided in Paragraph 305.

b. If a melon-colored Registration Card which has been serial numbered by another local board is received before the national lottery held for the second registration, the serial number shall be crossed out and the card renumbered in the manner provided in Paragraph 305. If such card is received after the national lottery held for the second registration, it shall not be renumbered but shall receive the order number before the one assigned to such serial number with a letter added.

311. *Preparing lists of registrants (Form 3).* a. During or after the serial numbering of the melon-colored Registration Cards preparatory to the national lottery to be held for the second registration, the local board shall make out a List of Registrants (Form 3). Registrants being assigned a serial number for the second registration shall be listed

in the order of their serial numbers, with the registrant having Serial Number "S-1" at the top of the list. All numbers from "S-1" to the largest serial number used in the second registration shall be listed, whether or not each number was given to a registrant. On the List of Registrants (Form 3) the serial numbers shall be placed in column (2), opposite the name of the registrant to whom each is assigned.

b. Upon completion of the serial numbering of melon-colored cards and the completion of the List of Registrants (Form 3), the local board shall proceed to determine the "Key Number." This "Key Number" shall be the order number of the last man inducted by the local board in the usual and ordinary course of classification, selection, and induction from the group which was required to be registered on October 16, 1940. It shall not be the order number of a volunteer for induction. This "Key Number" shall be determined as of midnight, June 30, 1941. The "Key Number" shall be placed at the top of each page of the List of Registrants (Form 3) in the following words:

"Key Number _____" (in the blank shall be inserted this "Key Number").

Example: Suppose a local board's last inductions ran as follows:

Order No. 1213. Class I-A: Inducted.
Order No. 1214. Deferred.
Order No. 1215. Class I-A: Induction postponed.
Order No. 1216. Class I-A: Inducted.
Order No. 1217. Deferred.
Order No. 1218. Deferred.
Order No. 1219. Class I-A: Order number not reached for induction.
Order No. 1220. Deferred.
Order No. 1221. Class I-A: Order number not reached for induction.
Order No. 1222. Volunteer: Inducted.
Order No. 1223. Deferred.

In the example, the "Key Number" would be 1216. It is the order number of the last man inducted in the usual process of the local board. The man who was selected but his induction postponed (Order No. 1215) is disregarded. The man who volunteered and who was therefore inducted out of order (Order No. 1222) is disregarded.

c. One copy of the List of Registrants (Form 3) shall then be posted in a public place in or near the office of the local board; one copy shall be put in the files of the local board; and one copy shall be sent to the State Director of Selective Service. A fourth copy shall be prepared for the press, radio, and other mediums of publication.

312. *Telegraphic reports on serial numbering.* a. As soon as possible after the meeting of July 9, 1941, the local board shall telegraph the following report to the State Director of Selective Service:

Melon-colored Registration Cards for the second registration shuffled and serial numbered. List of these registrants showing serial numbers posted and copy mailed to you.

Largest serial number used by local board _____ is S- _____ Key number is _____

b. As soon as possible, the State Director of Selective Service shall telegraph the Director of Selective Service the largest "S" serial number used by any local board in his State.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 25, 1941.

[F. R. Doc. 41-4601; Filed, June 27, 1941; 12:46 p. m.]

[Amendment No. 77]

AMENDING THE REGULATIONS SO AS TO REMOVE THE RIGHT OF DEFERMENT OF MEN ACQUIRING DEPENDENTS TO EVADE SERVICE

By virtue of the provisions of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, I hereby amend, effective fifteen (15) days after the filing hereof with the Division of the FEDERAL REGISTER, the Selective Service Regulations, Volume Three, Section XXIII, by deleting subparagraph a of Paragraph 354 and substituting therefor the following:

354. *Composition of Class III.* a. In Class III shall be placed any registrant upon whom one or more dependents, as defined in paragraph 355, depend for support in a reasonable manner: *Provided, however,* That it is not advisable to defer any such registrant if he acquired such status for the purpose of avoiding training and service, and, therefore, no registrant should be placed in Class III if he acquired such a status after the day when he was required to be registered unless (1) he or his claimed dependent or dependents present to the local board written statements of the facts peculiarly within their knowledge, showing the history leading up to and the circumstances under which such status was acquired, and (2) such facts show that the status of the registrant was acquired in a manner consistent with the ordinary course of human affairs and was not acquired to provide the registrant with a basis for a claim for Class III deferment. If, in any such case, neither the registrant nor his claimed dependent or dependents has filed a statement as herein required, the local board shall, at least 10 days before it finally determines the registrant's classification, notify the registrant, in writing, of the requirements of this subparagraph and place a copy of such notice in the registrant's cover sheet.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 24, 1941.

[F. R. Doc. 41-4602; Filed, June 27, 1941; 12:46 p. m.]

¹ 5 F.R. 3923.

[Order No. 14]

MEROM CAMP PROJECT

I, Lewis B. Hershey, Deputy Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 and pursuant to authorization and direction contained in Executive Order No. 8675¹ dated February 6, 1941, hereby designate the Merom Camp project to be work of national importance. Said camp, located at Merom, Sullivan County, Indiana, will be the base of operations for soil conservation work in the State of Indiana, and registrants under the Selective Training and Service Act, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Merom Camp will consist of the establishment of a program tending to develop sound land use practices which will prevent the spread of erosion, and shall be under the technical direction of the Soil Conservation Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program and the furnishing of construction equipment. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in the camp in accordance with the provisions of the Selective Service Act and Regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 18, 1941.

[F. R. Doc. 41-4603; Filed, June 27, 1941; 12:46 p. m.]

[Order No. 15]

STODDARD CAMP PROJECT

I, Lewis B. Hershey, Deputy Director of Selective Service, in accordance with the provisions of section 5 (g) of the Selective Training and Service Act of 1940 and pursuant to authorization and direction contained in Executive Order No. 8675¹ dated February 6, 1941, hereby designate the Stoddard Camp project to be work of national importance. Said camp, located at Stoddard, Cheshire County, New Hampshire, will be the base of operations for hazard reduction work in the State

¹ 6 F.R. 831.

of New Hampshire, and registrants under the Selective Training and Service Act, who have been classified by their local boards as conscientious objectors to both combatant and noncombatant military service and have been placed in Class IV-E, may be assigned to said camp in lieu of their induction for military service.

The work to be undertaken by the men assigned to said Stoddard Camp will consist of forest fire hazard reduction made necessary by the New England hurricane of September 1938, and shall be under the technical direction of the Forest Service of the United States Department of Agriculture insofar as concerns the planning and direction of the work program and the furnishing of construction equipment. The camp, insofar as camp management is concerned, will be under the direction of approved representatives of the National Service Board for Religious Objectors. Men shall be assigned to and retained in the camp in accordance with the provisions of the Selective Service Act and Regulations and orders promulgated thereunder. Administrative and directive control shall be under the Selective Service System through the Camp Operations Division of National Selective Service Headquarters.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 18, 1941.

[F. R. Doc. 41-4604; Filed, June 27, 1941;
12:47 p. m.]

[Amendment No. 78]

AMENDING THE REGULATIONS TO PROVIDE
FOR THE DESIGNATION OF BOARD OF AP-
PEAL AREAS

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 885) and the authority vested in me by the rules and regulations prescribed by the President thereunder, I hereby amend, effective immediately on the filing hereof with the Division of the Federal Register, the Selective Service Regulations, Volume One, Section VI, by striking out Paragraph 137¹ thereof and substituting the following:

137. *Boards of Appeal: Area.* Each State Director of Selective Service shall establish one or more board of appeal areas in his State. Each such area shall include whole local board areas and, unless a larger number is authorized by the Director of Selective Service, should have not more than 70,000 registrants as a result of the first registration.

LEWIS B. HERSHEY,
Deputy Director.

JUNE 26, 1941.

[F. R. Doc. 41-4618; Filed, June 28, 1941;
11:07 a. m.]

¹ 5 F.R. 3782.

CHAPTER IX—OFFICE OF PRO-
DUCTION MANAGEMENT

SUBCHAPTER B—PRIORITIES DIVISION

PART 921—ALUMINUM

Preference Rating Order for Aluminum
Scrap No. P-12

§ 921.5 *Preference rating order.* (a) For the purposes of facilitating the acquisition of Aluminum Scrap for defense purposes a preference rating A-10 is hereby assigned in favor of each person who melts or otherwise processes Aluminum Scrap to whom this Order is specifically addressed, hereinafter called the "Producer," all subject to the terms, conditions, requirements and obligations set forth below.

(b) The rating hereby assigned shall apply to deliveries of Aluminum Scrap to the Producer if such Aluminum Scrap is to enter directly or indirectly, at any stage of production, into material for delivery under "Defense Orders," provided that:

(1) The quantities of Aluminum Scrap to be delivered shall not be greater than necessary for the effective operation of each such Producer's plant for the fulfillment of Defense Orders.

(2) The delivery dates for Aluminum Scrap shall not be earlier than necessary to fill Defense Orders on schedule.

(c) The Producer shall:

(1) Maintain accurate records concerning inventories and stocks on hand and orders and contracts on books, and concerning all use of the preference rating assigned by this Order, including the name and address of each supplier and the kinds and quantities of Aluminum Scrap covered by such preference rating, dates of delivery, and a record of the use made of the Aluminum Scrap obtained pursuant hereto.

(2) Furnish to the Priorities Division of the Office of Production Management such information with respect to any of the matters referred to in paragraph (c) (1) as it may request, or any other information which it deems necessary to the operation of the Priorities System.

(3) Submit, from time to time on request, to an audit and inspection by representatives of the Office of Production Management with respect to any of the matters referred to in paragraphs (c) (1) or (c) (2).

(d) This Order shall not become effective in favor of the Producer, and no applications of said rating hereunder shall be valid, unless and until he shall have duly executed in duplicate, through a duly authorized officer, two copies of this Order, one such executed copy to be returned to the Priorities Division of the Office of Production Management. The Producer may apply the rating hereby assigned to his orders for Aluminum Scrap by furnishing to his supplier, with

each order, a photostatic copy of this Order duly executed by him.

(e) This Order, the assignment of said preference rating and any specific applications of said rating hereunder, may be revoked, or modified, by the Director of Priorities at any time. After any revocation, or upon expiration, of this Order and of the assignment of said preference rating hereunder, all existing applications of said rating, unless specifically revoked or modified, shall continue until deliveries of the material covered thereby shall have been made, but no additional applications of said rating hereunder shall thereafter be made.

(f) For the purposes of this Order "Person," "Aluminum Scrap," "secondary Aluminum" and "Defense Orders" shall have the meanings assigned to them specifically by § 921.4 (Supplementary Order No. M-1-c, as issued by the Director of Priorities, of June 10, 1941).

(g) This Order, and the assignment of said preference rating hereunder, shall take effect on the 26th day of June, 1941, and, unless sooner revoked, shall expire on the 31st day of December, 1941. (O.P.M. Reg. 3, March 7, 1941, 6 F.R. 1596; E.O. 8629, January 7, 1941, 6 F.R. 191; sec. 2 (a) Public No. 671, 76th Congress.)

Issued this 26th day of June 1941.

E. R. STETTINIUS, Jr.,
Director of Priorities.

The undersigned acknowledges receipt of the above order, and hereby accepts and agrees to comply with and fulfill the terms, conditions, obligations, and requirements specified therein.

-----	By -----
Legal Name of	Signature of Officer
Producer	and Title
State of -----	ss.:
County of -----	

Personally appeared before me this ----- day of -----, 1941, ----- who being duly sworn, deposes and says that he is the person who signed the foregoing acceptance of the foregoing order on behalf of said corporation and that he is duly authorized by said corporation to do so, and that the same is the act of said corporation.

Notary Public.

My commission expires the ----- day of -----, 19-----.

[F. R. Doc. 41-4612; Filed, June 28, 1941;
10:29 a. m.]

[Amendment to General Preference Order
No. M-11]

PART 937—ZINC

(a) Section 937.1 (General Preference Order No. M-11) is hereby amended so as to read as follows:

Whereas, it is found that there exists a definite shortage of Zinc, as hereinafter defined, which may increase in the future, by reason of the fact that the present and future domestic supply and

probable future imports are now and may be insufficient for all defense and civilian needs, and it is further found that such shortage will prevent the obtaining of priority for deliveries of that material under present and future Naval and Army contracts and orders and related subcontracts and suborders unless the total present and future supply thereof be conserved and the present and future distribution directed, and it is further found that the best interests of the national defense require the exercise of the power conferred upon me to direct and insure such priority, now, therefore, it is hereby ordered:

§ 937.1 *General preference order.* (a) For the purpose of this section:

(1) "Person" means any person, firm or corporation.

(2) "Defense Orders" mean all contracts or orders for Zinc entering directly or indirectly at any stage of production into deliveries (i) for the Army or Navy of the United States, or (ii) for the defense of Great Britain, or (iii) for the government of any other country whose defense the President deems vital to the defense of the United States under "An Act to Promote the Defense of the United States" (Public, No. 11, 77th Congress, First Session, approved March 11, 1941).

(3) "Zinc" means all grades of metallic zinc (spelter) produced directly from ores, concentrates, and other primary material, or redistilled from scrap, including dross, skimmings, and ashes; all zinc oxide both lead free and leaded; and zinc dust.

(4) "Producer" means any person producing Zinc as hereinbefore defined; and also, for the purposes of this Order, "Producer" includes any person who produces such Zinc for others under toll agreement.

(b) Deliveries of Zinc by any person shall be made only in accordance with the following directions:

(1) Preference ratings, in order of precedence, are: AA, A-1-a, A-1-b, * * * A-1-j; A-2, A-3, * * * A-10; BB, B-1, B-2, * * * B-8.

(2) Deliveries under all Defense Orders which do not bear a higher preference rating are hereby assigned a preference rating of A-10.

(3) All deliveries to which a preference rating has been assigned shall be made upon the date or dates required by the Preference Rating Certificate assigned thereto, or, if no Preference Rating Certificate has been assigned, then delivery under Defense Orders shall be made upon the date or dates specified in the contracts or orders therefor. For that purpose, deliveries bearing no preference rating or a lower preference rating shall be deferred if necessary to assure those deliveries bearing a higher preference rating.

(4) When there is doubt as to whether a particular contract or order is a De-

fense Order the matter shall be referred to the Division of Priorities for determination, with a statement of all pertinent facts.

(5) Any person who accepts a delivery of Zinc to which a preference rating has been assigned, either by this section or by any other order or by any preference rating certificate shall use such Zinc or an equivalent amount thereof for the purpose for which such preference rating has been assigned.

(6) Except as hereinafter limited, deliveries may be made under non-defense orders after compliance with the preference ratings assigned to Defense Orders. Preference ratings may be assigned from time to time by the Director of Priorities to deliveries under contracts or orders other than Defense Orders, or other specific directions may be issued with respect to deliveries under such contracts or orders.

(c) (1) During each calendar month hereafter each Producer:

(i) of *metallic zinc* shall set aside from his production (including therein Zinc produced by him for the account of others under toll agreement and excluding Zinc produced by others for his account under toll agreement) a quantity to be determined from time to time by the Director of Priorities to be delivered only upon express direction of the Director of Priorities. Each Producer shall ship the balance of his production in such manner that each customer shall receive a percentage of the Producer's commitments to him for the month, including both Defense Orders and non-defense orders, equal to the percentage received by every other customer: *Provided, however,* That a Producer may satisfy in full his commitments to any one customer during any one month up to not exceeding one minimum carload lot.

(ii) of *zinc oxide* shall set aside from his production (including therein Zinc produced by him for the account of others under toll agreement and excluding Zinc produced by others for his account under toll agreement) a quantity to be determined from time to time by the Director of Priorities to be delivered only upon express direction of the Director of Priorities. Each Producer shall ship the balance of his production in such manner that each customer shall receive a percentage of the Producer's commitments to him for the month, including both Defense Orders and non-defense orders, equal to the percentage received by every other customer; *Provided, however,* That a Producer may satisfy in full his commitments to any one customer during any one month up to not exceeding 2,000 pounds.

(iii) of *zinc dust* shall set aside from his production (including therein Zinc produced by him for the account of

others under toll agreement and excluding Zinc produced by others for his account under toll agreement) a quantity to be determined from time to time by the Director of Priorities to be delivered only upon express direction of the Director of Priorities. Each Producer shall ship the balance of his production in such manner that each customer shall receive a percentage of the Producer's commitments to him for the month, including both Defense Orders and non-defense orders, equal to the percentage received by every other customer; *Provided, however,* That a Producer may satisfy in full his commitments to any one customer during any one month up to not exceeding 2,000 pounds.

Notwithstanding the provisions of this paragraph all deliveries must receive the preferential treatment accorded to them by paragraph (b) above, and must be made subject to the limitations of paragraph (d) below.

(2) The restrictions specified in this paragraph (c) (1) shall apply to and limit:

(i) Shipments of Zinc to third persons, including affiliates, subsidiaries, and agents of the seller, and

(ii) Shipments of Zinc from the producing branch, division or section of a single business enterprise to another branch, division or section of the same or any other business enterprise owned or controlled by the same person.

(3) The Director of Priorities on and after July 1, 1941, will, in his discretion, make allocation of the Zinc set aside by the Producers under (c) (1), as follows:

(i) For delivery under Defense Orders or under other orders which appear to the Director to be directly or indirectly in the interest of national defense;

(ii) For delivery under civilian orders not covered under (i) above; insofar as the Director of Priorities shall make allocations among competing civilian demands, the Director will be guided by the Civilian Allocation Program for Zinc issued by the Office of Price Administration and Civilian Supply.

Applications hereunder for the allocation of Zinc shall be made to the Director of Priorities only on forms prescribed by him.

(d) (1) In addition to the foregoing limitations, no person shall hereafter knowingly deliver Zinc to any customer, and no customer shall accept delivery of Zinc in an amount which will increase, for any calendar month, the customer's inventory of such material in the same or other forms, in excess of the quantity necessary to meet required deliveries of such customer's products on the basis of his usual method and rate of operation.

(2) On and after July 1, 1941, each customer before receiving any deliveries of Zinc shall file with the Producer from

whom such Zinc is to be received a sworn statement in the form attached hereto and marked Form PD-50,¹ retaining a copy thereof.

(3) On or before August 10, 1941, and on or before the tenth day of each month thereafter each Producer shall submit to the Director of Priorities, Office of Production Management, Washington, D. C., a statement of compliance with the requirements of this Order, in the form attached hereto and marked Form PD-50-A.¹

(4) This paragraph (d) shall not apply to

(i) deliveries for direct export out of the United States, provided that such exports shall have been licensed by the Administrator of Export Control;

(ii) deliveries of imported material to any Person importing the same, either directly or through an agent.

(e) On or before July 10, 1941, all Producers, who are parties to toll agreements for the production of Zinc, must file with the Director of Priorities for each such agreement a statement setting forth the names of the parties to such agreements, the material involved, the estimated tonnage involved, the estimated rate of delivery, and the duration of the agreement. A like statement must be filed with the Director of Priorities for any new agreement or amendment to existing or new agreements within ten days after the effective date of such new agreement or amendment respectively.

(f) All Producers and other persons who deliver Zinc shall keep accurate records of their inventories, and of all purchases, sales, and deliveries of Zinc, including the dates thereof, parties involved, and other pertinent information, and shall, upon request, submit such records to audit and inspection by duly authorized representatives of the Priorities Division of the Office of Production Management, and shall execute and file with said Division such reports and questionnaires concerning the foregoing as said Division may from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the Division of Priorities.

(g) Any person who obtains Zinc by means of a material and wilful misstatement contrary to any provision of this section may be prohibited by the Director from obtaining further deliveries of Zinc from any source.

(h) This section shall take effect on the 1st day of July 1941, and unless sooner terminated shall expire on the 30th day of December 1941. This section shall supersede, as of the effective date hereof, any special orders or directions for the delivery of any Zinc by the Director of Priorities or by the Division of Priorities. (O.P.M. Reg. 3, Mar. 7, 1941, 6 F.R. 1596; E.O. 8629, Jan.

7, 1941, 6 F.R. 191; sec. 2 (a), Public No. 671, 76th Congress).

Issued this 28th day of June, 1941.

E. R. STETTINIUS, Jr.,
Director of Priorities.

[F. R. Doc. 41-4613; Filed, June 28, 1941; 10:30 a. m.]

[Supplementary Order No. M-11-a]

PART 937—ZINC

§ 937.2 *Supplementary order.* (a) The Director of Priorities hereby determines that the amount of metallic zinc, zinc oxide, and zinc dust to be set aside by Producers, under § 937.1 (c) as amended,¹ for the month of July and for each month thereafter until otherwise determined by him shall be as follows:

(1) Metallic zinc—an amount equal to 22% of Producer's May 1941 production.

(2) Zinc oxide—an amount equal to 10% of Producer's May 1941 production.

(3) Zinc dust—none.

(b) This Order shall take effect on the First day of July, 1941. (O.P.M. Reg. 3, Mar. 7, 1941, 6 F.R. 1596; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; Sec. 2 (a), Public No. 671, 76th Congress)

Issued this 28 day of June 1941.

E. R. STETTINIUS, Jr.,
Director of Priorities.

[F. R. Doc. 41-4614; Filed, June 28, 1941; 10:30 a. m.]

[Supplementary Order No. M-15-a]

PART 940—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

§ 940.2 *Supplementary order.* (a) Notwithstanding the percentage quotas specified in § 940.1 (c) (1) (General Preference Order No. M-15,² issued June 20, 1941), no Processor shall be required to reduce his consumption or processing of rubber during the month of July 1941, by more than 20% of his consumption or processing of rubber during the month of June 1941, even though the amount such Processor consumes or processes during the month of July 1941, may exceed his July quota as therein specified.

(b) This Order is supplementary to General Preference Order No. M-15 and except as herein modified, said Order shall continue in effect. This Order shall take effect on the 27th day of June 1941; and unless sooner terminated by direction of the Director of Priorities, shall expire on the 31st day of July, 1941. (O.P.M. Reg. 3, Mar. 7, 1941, 6 F.R. 1596; E.O. 8629, Jan. 7, 1941, 6 F.R. 191; sec. 2 (a), Public No. 671, 76th Congress).

Issued this 27th day of June, 1941.

E. R. STETTINIUS, Jr.,
Director of Priorities.

[F. R. Doc. 41-4615; Filed, June 28, 1941; 10:30 a. m.]

¹ *Supra.*

² 6 F.R. 3060.

CHAPTER XI—OFFICE OF PRICE ADMINISTRATION AND CIVILIAN SUPPLY

PART 1316—COTTON TEXTILES

PRICE SCHEDULE NO. 11—COTTON GREY GOODS

The Office of Price Administration and Civilian Supply is charged with the maintenance of price stability and the prevention of undue price rises and dislocations.

Cotton Grey Goods are used as the basic fabric for finished cotton textiles. They are also used extensively in an unfinished state. Finished cotton textiles constitute a major portion of the material used in both military and civilian clothing. Furthermore, Cotton Grey Goods, in both their finished and unfinished states, are indispensable to the manufacture of numerous other items used by both the armed forces and civilians.

In the last 12 months the cotton grey goods market has advanced sharply. During that period there has been a 68 percent increase in the average price of the principal constructions. This has meant a 106 percent increase in the average mill margin for those types of cloth. This upward price movement has been out of all proportion to any increases in costs of materials and production. Largely responsible for this inflationary trend have been the fear of buyers that prices would continue to rise, and the activity of speculators and hoarders who have taken advantage of this fear and of the heavy demand for textiles arising from defense needs.

It is apparent, therefore, that in order to insure stability of the price structure and to forestall widespread speculation, hoarding, and profiteering, the national defense and the public interest require that maximum prices be established for Cotton Grey Goods.

The maximum prices set forth below allow a mill margin substantially above the average which the industry has enjoyed during the past five years.

On the basis of information secured by independent investigation by this Office, and upon information furnished by the trade, I find that the maximum prices herein established are necessary and reasonable.

Accordingly, pursuant to the authority vested in me by Executive Order No. 8734, and after consultation with the Price Administration Committee, it is hereby directed that:

§ 1316.1 *Definitions.* (a) The term "Cotton Grey Goods," as used herein, means cotton grey goods, in their unchanged mill state, of the types listed in § 1316.7 hereof; it does not include any cotton grey goods which, in the performance of a recognized commercial service, have been either (1) further processed or (2) cut and repackaged.

(b) The term "person" includes an individual, corporation, association, partnership, or other business entity.*

*§§ 1316.1 to 1316.8, inclusive, are issued pursuant to the authority contained in Executive Order No. 8734.

§ 1316.2 *Maximum prices established for cotton grey goods.* (a) On and after June 30, 1941, regardless of any commitment theretofore entered into, no person shall sell or deliver, or offer to sell or deliver, any Cotton Grey Goods, and no person shall buy or accept delivery of, or offer to buy or accept delivery of, any Cotton Grey Goods at a price exceeding the maximum prices set forth in § 1316.7, except that:

(1) Any person who prior to June 30, 1941, acquired Cotton Grey Goods at a price higher than the applicable maximum price set forth in § 1316.7, and prior to that date entered into a firm commitment for the sale of such Cotton Grey Goods to any person, may, upon approval by the Office of Price Administration and Civilian Supply of an application filed on or before July 31, 1941 on Form No. 111:1 (copies of which may be obtained on request made to the Office of Price Administration and Civilian Supply, Washington, D. C.) be permitted to deliver and accept payment for Cotton Grey Goods at the price contracted for, provided that such deliveries are completed on or before September 2, 1941;

(2) The prices established herein are not applicable to sales or deliveries of Cotton Grey Goods to any person or persons outside the United States, its territories and possessions.

(b) The prices established by this Schedule are f. o. b. the seller's point of shipment. They are gross prices before discounts of any nature are deducted and they include all commissions.*

§ 1316.3 *Records.* Every person who, during any calendar month, shall sell 500 pounds or more of Cotton Grey Goods shall keep for inspection by the Office of Price Administration and Civilian Supply, and preserve for a period of not less than one year, a complete and accurate record of every sale of Cotton Grey Goods made during such month, the person to whom such sale was made, the date thereof, the price paid, and the quantity and specifications of the goods sold.*

§ 1316.4 *Reports.* On or before August 7, 1941, and on the 7th day of each calendar month thereafter, every person who, during the preceding calendar month, has made sales or deliveries, other than those described in § 1316.2 (a) (2), of Cotton Grey Goods aggregating 500 pounds or more shall submit to the Office of Price Administration and Civilian Supply a report, on Report Form No. 111:2 (copies of which may

be obtained upon request made to the Office of Price Administration and Civilian Supply, Washington, D. C.), in which he shall make a sworn statement that during the preceding calendar month all such sales, either for immediate or future delivery, and deliveries, other than those described in § 1316.2 (a) (2), were made at prices in conformity with this Schedule or with an exception or modification thereof.*

§ 1316.5 *Enforcement.* In the event of refusal or failure to abide by the price limitations, report requirements, and other provisions contained in this Schedule, or in the event of any evasion or attempt to evade the price limitations or other provisions contained in this Schedule, the Office of Price Administration and Civilian Supply will make every effort to assure (a) that the Congress and the public are fully informed of any failure to abide by the provisions of this Schedule, and (b) that the powers of the Government are fully exerted in order to protect the public interest and the interests of those persons who conform with this Schedule in the observance of the maximum prices herein set forth. Persons who have evidence of the demand or receipt of prices above the limitations set forth, or any evasion of or effort to evade such prices, or of speculation, or of the hoarding or accumulation of unnecessary inventories thereof, are urged to communicate with the Office of Price Administration and Civilian Supply.*

§ 1316.6 *Modification of the price schedule.* Persons complaining of hardship or inequity in the operation of this Schedule may apply to the Office of Price Administration and Civilian Supply for approval of any modification thereof or exception thereto.*

§ 1316.7 *Schedule of maximum prices.*

Maximum Prices for Cotton Grey Goods	
Type of Cloth:	Price per pound, f. o. b. seller's point of shipment
Standard print cloth, 40" and narrower.....	\$0.39
Carded broadcloth, 40" and narrower, 100 sley and below.....	.39
Combed broadcloth, 40" and narrower, 136 sley and below.....	.54
Sheetings, 40" and narrower:	
A. Yarn numbers up to 15s, inclusive.....	.30
B. Yarn numbers 16s to 21s, inclusive.....	.32
C. Yarn numbers above 21s.....	.335
Part waste osnaburgs, 40" and narrower.....	.25
Tobacco cloth, 40" and narrower.....	.39

§ 1316.8 *Effective date.* This Schedule shall take effect June 28, 1941.*

Issued this 27th day of June, 1941.

LEON HENDERSON,
Administrator.

[F. R. Doc. 41-4616; Filed, June 28, 1941; 10:34 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR CHAPTER I—GENERAL LAND OFFICE

[Circular No. 1489]

PART 118—MINNESOTA DRAINAGE

REGULATIONS GOVERNING THE ENTRY OF LANDS IN MINNESOTA LEGALLY ASSESSED OR SOLD OR BID IN BY THE STATE FOR DRAINAGE CHARGES

Circular No. 470, approved April 15, 1916 (45 L. D. 40), as amended by Circular No. 989, approved April 1, 1925 (51 L. D. 83), and Part 118, Title 43, of the Code of Federal Regulations based thereon, governing the entry of public or ceded Indian lands in Minnesota which have been legally assessed or sold or bid in by the State for drainage charges, are hereby amended by the addition thereto of the following section:

§ 118.25a *Payments required of homestead applicants in advance of allowance of entry; disposition of moneys.* Every person making homestead application for public or ceded Indian lands in Minnesota which have been legally assessed or sold or bid in by the State for drainage charges will be required to make the following described payments to the Commissioner of the General Land Office in advance of allowance of his application: (a) the usual homestead fees and commissions; (b) one-fifth of the purchase price, if any, prescribed by law for said lands; (c) the Federal drainage survey charge of three cents per acre, if that be chargeable against the lands sought; and (d) all sums due the State for drainage charges. If an application be allowed, the Commissioner will transmit to the appropriate State officer the sums due the State. If an application be rejected, the Commissioner will return to the applicant all moneys paid by him. (R.S. 453, 2478; 43 U.S.C. 2, 1201)

Paragraph 22 of Circular No. 470, as amended by Circular No. 989, and § 118.24 are hereby amended by striking therefrom the sentence next to the last beginning "Payment of drainage charges" and the title to § 118.24 is hereby amended to read as follows:

When settlers and entrymen are not entitled to right of redemption; compliance with homestead law required. (R.S. 453, 2478; 43 U.S.C. 2, 1201)

[SEAL] FRED W. JOHNSON,
Commissioner.

Approved: June 18, 1941.

W. C. MENDENHALL,
Acting Assistant Secretary.

[F. R. Doc. 41-4567; Filed, June 27, 1941; 9:52 a. m.]

TITLE 46—SHIPPING

CHAPTER I—BUREAU OF MARINE
INSPECTION AND NAVIGATIONSUBCHAPTER N—EXPLOSIVES OR OTHER
DANGEROUS ARTICLES OR SUBSTANCES, AND
COMBUSTIBLE LIQUIDS ON BOARD VESSELS
[Order No. 129]PART 146—TRANSPORTATION OR STORAGE OF
EXPLOSIVES OR OTHER DANGEROUS ARTICLES
OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS
ON BOARD VESSELS¹

Pursuant to the authority vested in the Secretary of Commerce by section 4472 of the Revised Statutes, as amended (Act of October 9, 1940, Public 809—76th Congress; 54 Stat. 1023), the regulations for the safe carriage of explosives or other dangerous articles or substances, and combustible liquids, as promulgated January 7, 1941, are hereby amended effective July 1, 1941, under the emergency provision contained in subsection (9) of R. S. 4472, as amended, as follows:

§146.04-5 *List of explosives and other dangerous articles and combustible liquids.* Following the article "Amyl acetate" add: Amyl chloride, Inf. L., Red, 128.

Following the article "Dichloropentanes" add: Diethylamine, Inf. L., Red, 139.

Following the article "Chlorate powders" add: Chlorate of potash (See: "Chlorates"), Oxy. M., Yellow, 181. Chlorate of soda (See: "Chlorates"), Oxy. M., Yellow, 181.

Following the article "Nitroglycerin, spirits of," add: Nitroguanidine, dry (See "High explosives").

Following the article "Nitrosyl chloride" add: Nitrourea (See: "High explosives").

Following the article "Oil of Vitriol" add: Oleum (See: "Sulfuric acid").

§ 146.05-2 *Acceptable shipments.* Between the hyphen and the word "Permitted" add "(a)".

Add a new paragraph as follows:

(b) When quantity limitations are specified in the regulations in this part by U. S. liquid measure or by avoirdupois weight, it is authorized that quantities measured by the metric system may be substituted, up to but not exceeding 1 gallon for liquids and 10 pounds for solids, on the basis of 1 liter per quart specified and 500 grams per pound specified.

§ 146.05-5 *I. C. C. specification containers.* In paragraph (d) delete the date "April 9, 1941" and substitute therefor the date "January 7, 1941".

§ 146.05-11 *Certification.* Delete paragraph (c) in its entirety and insert in lieu thereof the following:

(c) For the relief of shippers from multiplicity of certifications required for packages which may move by rail freight, highway, and water, and pending further consideration and order of the In-

terstate Commerce Commission, such shipments may in lieu of the certification required by (a) or (b) be certified as follows:

This is to certify that the above articles are properly described by name, and are packed and marked and are in proper condition for transportation according to the applicable regulations prescribed by the Interstate Commerce Commission and the Secretary of Commerce.

Add a new paragraph as follows:

(d) Detailed regulations in §§ 146.21-100 to 146.27-100, inclusive, require specific certification for certain substances. When these substances are required to be certificated under (a), (b), or (c) the certificate required by the detailed regulations shall be in addition thereto.

§ 146.06-7 *Emergency shipments.* Delete the reference "12" at the end of the sentence and insert in lieu thereof "15".

§ 146.09-9 *Specifications of steel barrels or drums for export shipments.* Commencing with the line "Authorized only for export shipments of Inflammable or Combustible liquids as permitted by the regulations of the Secretary of Commerce" delete all of the text of this section to and including paragraph 13 and insert in lieu thereof the following:

Effective March 31, 1941, the Interstate Commerce Commission adopted a new steel barrel, single trip container, described as

Specification 17X
Steel Barrels or Drums
Single Trip Container

and authorized its use for export shipments of inflammable liquids.

To simplify the regulations affecting shippers and carriers of explosives or other dangerous articles on board vessels, specification MIN-W20 Steel barrel or drum, single trip container, is deleted from the regulations in this part. Steel barrels or drums constructed prior to the effective date of this amendment and marked in compliance with the then existing specification (MIN-W20) may be accepted on board vessels for the same substances and under the same conditions as the steel barrel or drum ICC-17X is permitted to be accepted on board vessels by the provisions shown in the tables in § 146.21-100 *Inflammable liquids*, and § 146.26-100 *Combustible liquids*.

§ 146.09-10 *Specifications of wooden box for export shipments.* Commencing with the line "Authorized only for export shipments of inflammable liquids as permitted by the regulations of the Secretary of Commerce" delete all of the text in this section to and including paragraph 12 and insert in lieu thereof the following:

Effective March 31, 1941, the Interstate Commerce Commission adopted a new wooden box for two 5-gallon cans, described as

Specification 15X

Wooden Boxes for Two 5-Gallon Cans and authorized its use for export shipments of inflammable liquids.

To simplify the regulations affecting shippers and carriers of explosives or other dangerous articles on board vessels, specification MIN-W30, Wooden boxes for two 5-gallon cans, is deleted from the regulations in this part. Wooden boxes constructed prior to the effective date of this amendment and marked in compliance with the then existing specification (MIN-W30) may be accepted on board vessels for the same substances and under the same conditions as the wooden box ICC-15X is permitted to be accepted on board vessels by the provisions shown in the tables in § 146.21-100 *Inflammable liquids*, and § 146.26-100 *Combustible liquids*.

§ 146.20-9 *On deck stowage of explosives.* In paragraph (h) insert a "period" after the words "crew quarters" and delete the remainder of the sentence.

§ 146.20-50 *Stowage and storage chart of explosives and other dangerous articles.* In the left-hand or vertical column in item 4 delete "A", and outside the parenthesis insert the reference mark "1".

In the top or horizontal column in item 4 delete "A".

In footnote "1" after the word "columns" in the second line delete the reference "(1)"; in the third line delete the word "and"; in the third line after reference "(6)" insert the references "(10)", "(16)", "(17)", "(18)", "(19)" and "(21)".

§ 146.20-100 *Table A—Class A: Dangerous explosives.* Article: "Black powder." In the fourth column headed "Cargo vessel" under "Outside containers" insert the words "securely sewed and roped" to the description for "Bundles of metal kegs wrapped in burlap", the complete description then reading: "Bundles of metal kegs wrapped in burlap, canvas or similar material, securely sewed and roped. Not over 100 pounds net weight."

Article: "High explosives. Including: Ammonium picrate, Picric acid, etc."

Between the substances "Ammonium picrate" and "Picric acid" insert "Nitroguanidine" and "Nitrourea".

§ 146.20-100 *Table B—Class B: Less dangerous explosives.* Article: "Smokeless powder for small arms." In the fourth column headed "Cargo vessel" under "Outside containers" following "Metal kegs" insert "Bundles of metal kegs wrapped in burlap, canvas or similar material, securely sewed and roped. Not over 100 pounds in weight."

In columns 6, headed "Ferry vessel, passenger or vehicle", and 7, headed "R. R. car ferry, passenger or vehicle", insert the words "Not permitted".

§ 146.20-100 *Table C—Class C: Relatively safe explosives.* Article: "Ammunition for small arms." Under "Outside containers" in columns 4, 5, 6 and 7, and

¹ 6 F.R. 254, 303, 371, 424, 462.

preceding the containers now shown therein, insert in each of these columns the following:

Wooden boxes WIC.
Fiberboard boxes WIC.
Metal containers.

Following this insertion and extending across the four columns add the following: "Packed with nonexplosive or non-inflammable articles, or with small arms primers or percussion caps in quantity not to exceed 5 pounds, the following weight limitations apply:"

§ 146.21-100 Table D: *Inflammable liquids*. Article: "Acetaldehyde." In the fourth column headed "Cargo vessel" under "Outside containers" "Steel barrels or drums" delete the following: "(ICC-17E) STC, not over 5 gal. cap."

Article: "Acetone." In the fourth column headed "Cargo vessel" under "Outside containers" "Steel barrels or drums" add: "5B", the authorization then reading: "(ICC-5, 5A, 5B, 5C, 5G) not over 110 gal. cap."

To the entry "Tank cars" add: "ARA-IVA)".

Article: "Alcohol." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add "ARA-IVA)".

Following the last container entry in each of the columns 4, 5, 6 and 7, add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Alcohol, wood." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add "ARA-IVA)".

Following the last container entry in each of the columns 4, 5, 6 and 7, add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Amyl acetate." In columns 4, 5 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

In column 1, immediately below the article "Amyl acetate" add the following: "Amyl chloride", and opposite this entry in column 2 add the following: "A liquid having a straw to deep purple color. Flashpoint 34° F. Immiscible with water. Vapors are 3.67 times heavier than air and form an explosive mixture with a lower range of 1.4% in air."

Article: "Amyl nitrite." In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

Article: "Anti-freeze compounds, liquid." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add "ARA-IVA)".

Following the last container entry in each of the columns 4, 5, 6 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Benzene." In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

To the entry "Authorized only for export shipments: Steel barrels or drums" delete the specification "(Min-W20)" and insert in lieu thereof "(ICC-17E, 17X)" and for "Wooden boxes, WIMC" delete the specification "(Min-W30)" and the "15 gal. cap." and insert in lieu thereof "(ICC-15X)" "10 gal. cap."

In column 4 delete the following:

*NOTE: For "Under deck away from heat" stowage applying to export shipments in MIN-W20 and MIN-W30 containers see detail regulations preceding this table.

Article: "Carbon bisulfide." In column 4 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

Article: "Cement, leather." In column 4 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)". Add same entry to column 7.

In columns 4, 6 and 7 following the last container entry in each of these columns add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Coal tar distillate." In column 4 delete the following:

*NOTE: For "Under deck away from heat" stowage applying to export shipments in MIN-W20 and MIN-W30 containers see detail regulations preceding this table.

In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

In column 4 only, in the entry, "Authorized only for export shipments: Steel barrels or drums" delete the specification "(MIN-W20)" and insert in lieu thereof "(ICC-17X)" and in the entry "Wooden boxes" delete the specification "(MIN-W30)" and the "15 gal. cap." and insert in lieu thereof "(ICC-15X)" and "10 gal. cap."

Article: "Collodion." In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In column 4 only, to the entry "Tank cars" add: "ARA-IVA)".

Article: "Compounds, cleaning, liquid." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "tank cars" add: "ARA-IVA)".

Following the last container entry in each of the columns 4, 6 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Crotonaldehyde." In column 4 only, under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

Article: "Crude oil, petroleum." In column 4 under "Outside containers" to "Steel barrels or drums" add: "5B".

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

Following the last container entry in each of columns 4 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Drugs, chemicals, medicines, or cosmetics, N. O. S." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

Article: "Dimethyl sulfide." In column 1 preceding "Dimethyl sulfide" add: "Diethylamine."

In column 2 opposite "Diethylamine" add the following: "Clear, colorless liquid. Flashpoint below 0° F. Miscible with water."

In column 4 to the entry "Steel barrels or drums" add: "5B".

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

In column 4 only, add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17E, 17X) STC, not over 55 gal. cap."

Article: "Ether, anesthetic." In columns 5, 6 and 7 under "Outside containers" to item "Steel barrels or drums" add "(ICC-5, 5B) not over 30 lbs. net wt."

In column 4 in entry "Steel barrels or drums" delete "17E".

In column 4 to the entry "Steel barrels or drums" add: "(ICC-17E) STC, not over 5 gal. cap."

In column 4 under "Outside containers" under the entry "Wooden barrels or kegs" delete the following: "(ICC-10A) not over 50 gal. cap."

Article: "Ethyl acetate." In column 4 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

Article: "Ethyl nitrite." In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

Article: "Ethylene dichloride." In columns 4, 5, 6 and 7 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

Article: "Gas drips hydrocarbon." In column 4 under "Stowage" delete the following:

*NOTE: For "Under deck away from heat" stowage applying to export shipments in MIN-W20 and MIN-W30 containers see detailed regulations preceding this table.

In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

In column 4 only, in the entry "Authorized only for export shipments: Steel barrels or drums" delete the specification "(MIN-W20)" and insert in lieu thereof "(ICC-17E, 17X)" and in the entry "Wooden boxes" delete the specification "(MIN-W30)" and the "15 gal. cap." and insert in lieu thereof "(ICC-15X)" and "10 gal. cap."

Article: "Inflammable liquid, N. O. S." In columns 4, 6 and 7 under "Outside containers" from the entry "Steel barrels or drums: (ICC-17C, 17E) STC" delete "not over 5 gal. cap." and insert in lieu thereof "not over 55 gal. cap."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

Following the last container entry in each of columns 4, 6 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17E, 17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Ink." In columns 4, 5, 6 and 7 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In columns 4 and 7 following the last container entry in each column add the following: "Tank cars (ICC-103, 104, 104A, ARA-II, ARA-III, ARA-IV, ARA-IVA)"

Article: "Insecticide, liquid." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

Following the last container entry in each of the columns 4, 5, 6 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Methyl acetate." In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

Article: "Motor fuel, N. O. S." In column 4 under "Stowage" delete the following:

*NOTE: For "Under deck away from heat" stowage applying to export shipments in MIN-W20 and MIN-W30 containers see detailed regulations preceding this table.

In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

In column 4 in the entry "Authorized only for export shipments: Steel barrels or drums" delete "(MIN-W20)" and insert in lieu thereof "(ICC-17X)" and in the entry "Wooden boxes" delete "(MIN-W30)" and "15 gal. cap." and insert in lieu thereof "(ICC-15X)" and "10 gal. cap."

Article: "Natural gasoline." In column 4 under "Outside containers" to the entry "Steel barrels or drums" add: "5B".

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

Article: "Nitroglycerin, spirits of." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Wooden boxes WIMC" delete the "M", the entry then reading: "Wooden boxes WIC".

Article: "Oil." In column 4 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

In column 4 following the last container entry in this column add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap." and "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Paint, liquid." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

In column 4 under "Outside containers" to the entry "Authorized only for liquids having a flashpoint over 20° F." add: "Fiberboard boxes (ICC-12E) WIMC, not over 110 lbs. gr. wt."

In column 4 following the last container entry add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap." and "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Pentane." In column 4 under "Outside containers" in the entry "Steel barrels or drums" add: "5B". In this same entry delete "17E" where it first appears.

In column 4 to the entry "Tank cars" add: "ARA-IVA)".

Following the last container entry in column 4 add the following: "Authorized only for export shipments of Petroleum distillate or Naptha distillate: Steel barrels or drums (ICC-17E, 17X) STC, not over 55 gal. cap." and "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Polish, furniture, liquid." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

In column 4 to the entry "Authorized only for liquids having a flashpoint above 20° F." add the following: "Fiberboard boxes (ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 6 and 7 following the last container entry in each of the columns add the following: "Authorized only for liquids having a flashpoint above 20° F.: Wooden barrels or kegs (ICC-10C) not over 50 gal. cap. Fiberboard boxes: (ICC-12E) WIMC, not over 110 lbs. gr. wt."

Article: "Pyridine." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

Article: "Refrigerating machines." In column 1 delete the following: "Bill of lading or other shipping paper shall bear a certification that the machines or apparatus are packed in accordance with I.C.C. packing requirements."

Article: "Road asphalt or tar, liquid." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

In column 4 only, to the entry "Authorized only for liquids having a flashpoint above 20° F." add: "Fiberboard boxes (ICC-12E) WIMC, not over 110 lbs. gr. wt."

In column 4 following the last container entry add: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap." and "Wooden boxes WIMC (ICC-15X), not over 10 gal. cap."

Article: "Solvents, N. O. S." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

In column 4 only, following the last container entry add: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap." and "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Toluene." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add: "ARA-IVA)".

Following the last container entry in each of columns 4, 6 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Turpentine substitutes." In columns 4 and 7 under "Outside containers" to the entry "Tank cars" add: "ARA-IVA)".

In column 4 only, following the last container entry in this column add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) not over 55 gal. cap." and "Wooden

boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Xylol." In columns 4, 6 and 7 under "Outside containers" to the entry "Fiberboard boxes" add the following: "(ICC-12E) WIMC, not over 110 lbs. gr. wt."

In columns 4 and 7 to the entry "Tank cars" add "ARA-IVA)".

Following the last container entry in each of the columns 4, 6 and 7 add the following: "Authorized only for export shipments: Steel barrels or drums (ICC-17X) STC, not over 55 gal. cap."

In column 4 only, add the following: "Wooden boxes WIMC (ICC-15X) not over 10 gal. cap."

Article: "Zinc ethyl." In column 3 add: "Red."

In column 4 delete: "Not permitted".

In column 4 add the following: "Stowage: 'On deck protected'. Containers: Cylinders as prescribed for any compressed gas except acetylene."

§ 146.22-100 Table E—Classification: *Inflammable solids and oxidizing materials.* Article: "Ammonium picrate, wet." In column 3 headed "Label required" delete: "Yellow" and insert in lieu thereof "No label required".

Article: "Chlorates." In column 1 following the entry "Potassium chlorate" insert "Chlorate of potash" and following the entry "Sodium chlorate" insert "Chlorate of soda".

Article: "Phosphorus amorphous, red." In columns 4, 5, 6 and 7 under "Outside containers" and preceding the entry "Wooden boxes" insert the following: "Steel barrels or drums: (ICC-6A, 6B) (ICC-37D) STC, not over 160 lbs. gr. wt."

Article: "Phosphorus, white or yellow, in water." In column 4 under "Stowage" add "On deck under cover".

Article: "Phosphorus, white or yellow, dry." In column 2 headed "Characteristic properties" add the following: "Observe stowage precautions shown above for 'Phosphorus, white or yellow, in water.'" "In stowing projectiles or bombs, wood dunnage shall be liberally used to prevent these articles coming in contact with the structural parts of the vessel."

In column 4 under "stowage" add the following: "On deck under cover."

In column 4 under "Outside containers" add the following: "Projectiles or bombs without bursting elements. May be accepted only when shipped by, for, or to the War or Navy Department of the U. S. government. Stowage of such projectiles or bombs may also be 'Under deck away from heat'."

Article: "Potassium sulfide—not ground." In columns 4, 5, 6 and 7 under "Outside containers: Wooden boxes" add: "16A".

Article: "Pyroxylin plastics, rods, rolls, sheets or tubes." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Fiber drums (ICC-21A)" delete "150 lbs." and insert in lieu thereof "200 lbs."

In columns 4, 5, 6 and 7 following the last container entry in each column add the following: "For sheet pyroxylin only: Special fiberboard box (ICC-12B) telescope type, not over 90 lbs. gr. wt."

Article: "Sodium nitrite." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Wooden barrels or kegs (ICC-11A, 11B)" delete "400 lbs." and insert in lieu thereof "460 lbs."

To § 146.23 add the following new section:

§ 146.23-12 *Nonspecification export carboys authorized.* Pending further action by the Interstate Commerce Commission, the use of a nonspecification single trip, 5-gallon, completely boxed, glass carboy for export shipments of corrosive liquids, is authorized subject to the following conditions:

(1) Provided the glass bottles are machine-made, are cushioned on the bottom with cork and braced at each of the four corners of the box with adequate plywood strips and the assembly will withstand the regulation 55" swing test as prescribed by the I.C.C. regulations for specification carboys.

(2) Corrosive liquids for which the specification (ICC-1A) glass carboy is authorized by the provisions of the table in § 146.23-100 may also be packed in this non-specification single trip export carboy, and, for export shipments only, may be offered and accepted on board the same character of vessel and under the same conditions of stowage as are permitted for the particular substance laden therein as shown in the provisions of the table in § 146.23-100.

§ 146.23-100 Table F—Classification: *Corrosive liquids.* Article: "Acetyl chloride." In column 4 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Acids, liquids, N.O.S." In column 4 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Alkaline corrosive battery fluid." In column 4 under "Outside containers" and preceding the entry "Steel barrels or drums" insert the following: "Carboys, boxed: glass, earthenware, clay, or stone (ICC-1A) not over 13 gal. cap." "Lead carboys, boxed (ICC-1B) not over 13 gal. cap." "Carboys in kegs, glass, earthenware, clay or stone (ICC-1C) not over 13 gal. cap."

Article: "Antimony pentachloride." In column 4 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Benzoyl chloride." In column 4 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Caustic potash, liquid." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Carboys in

kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Chromic acid solution." In columns 4, 5, 6 and 7 under "Outside containers" and preceding the entry "Steel barrels or drums" insert the following:

"Carboys, boxed; glass, earthenware, clay, or stone (ICC-1A) not over 13 gal. cap."

"Lead carboys, boxed (ICC-1B) not over 13 gal. cap."

"Carboys in kegs; glass, earthenware, clay or stone (ICC-1C) not over 13 gal. cap."

In columns 4, 5, 6 and 7 under "Outside containers" add the following: "(ICC-17E) STC, not over 5 gal. cap."

In columns 4, 5, 6 and 7 under "Outside containers" to the entry, "Wooden barrels or kegs" add: "11A", the entry then reading: "Wooden barrels or kegs, WIC (ICC-11A, 11B)".

Article: "Compounds, cleaning liquid." In columns 4, 6 and 7 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Corrosive liquid, N. O. S." In columns 4, 6 and 7 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Electrolyte (acid) battery fluid." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Formic acid." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Wooden barrels or kegs (ICC-10A) asphaltum lined" insert: "or latex rubber" following the word "asphaltum"; the entry then reading: "Wooden barrels or kegs (ICC-10A) asphaltum or latex rubber lined, not over 50 gal. cap."

Article: "Hydriodic acid." In columns 4 and 7 under "Outside containers" in the entry "Carboys in kegs" delete "15 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Mixed acid." In column 2 headed "Characteristic properties" in the paragraph which reads: "Shall not be transported in any vessel carrying explosives" insert between the words "carrying" and "explosives" the following: "Class A or Class B", the paragraph then reading: "Shall not be transported in any vessel carrying Class A or Class B explosives."

Article: "Nitric acid." In column 2 in the last paragraph appearing therein insert between the words "carrying" and "explosives" the following: "Class A or Class B", the paragraph then reading: "Shall not be transported in any vessel carrying Class A or Class B explosives."

Article: "Pyrosulfuryl chloride." In column 4 under "Outside containers" in the entry "Carboys in kegs" delete "30 gal. cap." and insert in lieu thereof "13 gal. cap."

Article: "Sulfuric acid, fuming." In column 2 in the last paragraph appearing therein insert between the words "carrying" and "explosives" the following: "Class A or Class B", the paragraph then reading: "Shall not be transported in any vessel carrying Class A or Class B explosives."

§ 146.25-100 Table H—Classification: Class A: Extremely dangerous poisons. Article: "Police grenades (liquid)." In column 1 delete the following: "Note: Originating bill of lading or other shipping papers shall bear a certification that the articles contained in the packages have been approved for shipment in accordance with ICC regulations."

§ 146.25-100 Table H—Class B: Less dangerous poisons. Article: "Cyanide of potassium, liquid." In column 4 under "Outside containers" to the entry "Steel barrels or drums: (ICC-17E, 37D)" add: "17C", the entry then reading: "(ICC-17C, 17E, 37D)".

Article: "Dinitrobenzol, liquid." In columns 4, 5, 6 and 7 under "Outside containers" to the entry "Steel barrels or drums: (ICC-17E)" add: "17C", the entry then reading: "(ICC-17C, 17E)".

Article: "Insecticide, liquid." In columns 4, 5, 6 and 7 under "Outside containers" to the entry "Steel barrels or drums: (ICC-17E)" add: "17C", the entry then reading: "(ICC-17C, 17E)".

Article: "Nickel cyanide, solid." In columns 4, 5, 6 and 7 under "Outside containers" in the entry "Wooden barrels or drums, WIC (ICC-11A, 11B) not over 100 lbs. net wt." delete the word: "drums" and substitute the word: "kegs". Delete "100 lbs." and substitute therefor: "115 lbs."

Article: "Nitrobenzene, liquid." In column 4 under "Outside containers" to the entry "Steel barrels or drums" "(ICC-17E)" add: "17C", the entry then reading: "(ICC-17C, 17E)".

Article: "Poisonous liquids, N. O. S." In columns 4, 6 and 7 under "Outside containers" to the entry "Steel barrels or drums: (ICC-17E)" add: "17C", the entry then reading "(ICC-17C, 17E)".

Article: "Poisonous solids, N. O. S." In column 2 headed "Characteristic properties" in the first paragraph delete the word: "liquid" and substitute in lieu thereof the word: "solid".

§ 146.26-100 Table J—Classification: Combustible liquids. Article: "Acetone oils." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the entry "Steel barrels (MIN-W20) STC, 55 gal. cap., may be used and reused".

Article: "Benzaldehyde." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

Article: "Carbon remover, liquid." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

Article: "Coal tar distillate, N. O. S." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add "17X".

In columns 5, 6 and 7 delete the entry "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused".

Article: "Compounds, cleaning, liquid." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add "17X".

In columns 5, 6 and 7 delete the entry "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused".

Article: "Cresol, liquid." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 delete the entry "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused".

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add "17X".

Article: "Decahydronaphthalene." In columns 5, 6 and 7 under "Outside con-

tainers" following the words "Any ICC specification containers" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add "17X".

Article: "Dinitrotoluene." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

Article: "Drugs, chemicals, medicines, or cosmetics, N. O. S." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

Article: "Eradicators, paint or grease, liquid." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

Article: "Ethyl silicate." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Ethylene glycol monoethyl ether acetate." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box

ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Fuel oil, C. S. No. 1." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Furfural." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Lacquer." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Motor fuel, N. O. S." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Metal barrels or drums" delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used or reused."

In columns 5, 6 and 7 add the following: "Steel barrels or drums (ICC-17C, 17E, 17X) STC, not over 55 gal. cap. may be reused for shipment of these combustible liquids."

Article: "Paint, aluminum, bronzing, or gold." In columns 5, 6 and 7 under "Outside containers" following the words

"Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Pine oil." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap. may be used and reused."

Article: "Turpentine." In columns 5, 6 and 7 under "Outside containers" following the words "Any ICC specification container" insert "(except wooden box ICC-15X unless specifically authorized)" the paragraph then reading: "Any ICC specification container (except wooden box ICC-15X unless specifically authorized) as shown * * * etc."

In columns 5, 6 and 7 in the entry "Steel barrels or drums" following "17E" add: "17X".

In columns 5, 6 and 7 delete the following: "Steel barrels (MIN-W20) STC, 55 gal. cap."

§ 146.27-100 Table K—Classification: Hazardous articles. Article: "Cotton." In columns 4, 5 and 6 in the last paragraph under "(G)" delete the word "tight" and insert in lieu thereof "type", the sentence then reading: "Flush type tween deck hatches * * * etc." (R.S. 4472 as amended; act of October 9, 1940, Public 809—76th Congress; 54 Stat. 1023; 46 U.S.C. 170)

[SEAL] WAYNE C. TAYLOR,
Acting Secretary of Commerce.

JUNE 28, 1941.

[F. R. Doc. 41-4634; Filed, June 28, 1941; 11:58 a. m.]

Notices

WAR DEPARTMENT

[Contract No. W698eng.-1563]

SUMMARY OF COST-PLUS-A-FIXED-FEE CONSTRUCTION CONTRACT¹

CONTRACTOR: MORRISON-KNUDSEN COMPANY, INC., AND J. O. JORDAN & SON, 319 BROADWAY, BOISE, IDAHO

Fixed-fee: \$55,000.00.

Contract for Construction of railroad and cantonment camp, including neces-

¹ Approved by the Under Secretary of War January 22, 1941.

sary buildings, temporary structures, utilities and appurtenances thereto.

Place: Boise, Idaho.

Estimated cost of project: \$1,104,000.00.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to the following procurement authorities, the available balances of which are sufficient to cover the cost of the same: Eng-508 P 99 A-0 10.068-N.

This contract, entered into this eighth day of January 1941.

Statement of work. The Contractor shall, in the shortest possible time, furnish the labor, materials, tools, machinery, equipment, facilities, supplies not furnished by the Government, and services, and do all things necessary for the completion of the following work: Construction of a railroad, and cantonment camp, including necessary buildings, temporary structures, utilities and appurtenances thereto at Boise, Idaho.

It is estimated that the total cost of the construction work covered by this contract will be approximately one million one hundred four thousand dollars (\$1,104,000.00), exclusive of the Contractor's fee.

In consideration for his undertaking under this contract the Contractor shall receive the following:

(a) Reimbursement for expenditures as provided in article II.

(b) Rental for Contractor's equipment as provided in article II.

(c) A fixed fee in the amount of fifty-five thousand dollars (\$55,000.00) which shall constitute complete compensation for the Contractor's services, including profit and all general overhead expenses.

The Contracting Officer may, at any time, by a written order and without notice to the sureties, make changes in or additions to the drawings and specifications, issue additional instructions, require additional work, or direct the omission of work covered by the contract.

The title to all work, completed or in the course of construction, shall be in the Government. Likewise, upon delivery at the site of the work or at an approved storage site and upon inspection and acceptance in writing by the Contracting Officer, title to all materials, tools, machinery, equipment and supplies, for which the Contractor shall be entitled to be reimbursed under article II, shall vest in the Government.

Payments—Reimbursement for cost. The Government will currently reimburse the Contractor for expenditures made in accordance with article II upon certification to and verification by the Contracting Officer of the original signed pay rolls for labor, the original paid invoices for materials, or other original papers. Generally, reimbursement will be made weekly but may be made at more frequent intervals if the conditions so warrant.

Rental for contractor's equipment. Rental as provided in article II for such construction plant or parts thereof as the

Contractor may own and furnish shall be paid monthly upon presentation of proper vouchers.

Payment of the fixed-fee. The fixed-fee prescribed in article I shall be compensation in full for the services of the Contractor, including profit and all general overhead expenses. Ninety percent (90%) of said fixed-fee shall be paid as it accrues, in monthly installments based upon the percentage of the completion of the work as determined from estimates made and approved by the Contracting Officer. Upon completion of the work and its final acceptance, any unpaid balance of the fee shall be paid to the Contractor.

Termination of contract by Government. Should the Contractor at any time refuse, neglect, or fail to prosecute the work with promptness and diligence, or default in the performance of any of the agreements herein contained, or should conditions arise which make it advisable or necessary in the interest of the Government to cease work under this contract, the Government may terminate this contract by a notice in writing from the Contracting officer to the Contractor.

This contract is authorized by the following laws:

Public No. 309—76th Congress, approved August 7, 1939.

Public No. 703—76th Congress, approved July 2, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4610; Filed, June 28, 1941;
9:22 a. m.]

[Contract No. W-740-Ord-2105]

SUMMARY OF CONTRACT FOR SUPPLIES¹

CONTRACTOR: BUFFALO ARMS CORPORATION

Contract for: Machine Guns, * * *.
Amount: \$10,661,557.43.

Place: Rochester Ordnance District,
1238 Mercantile Bldg., Rochester, New York.

Items to be obtained by this instrument, are authorized by, are for the purpose set forth in, and are chargeable to Procurement Authorities:

ORD 9581 P11-30 A1005-01 OS & SA
1941, \$3,493,122.43.

ORD 9581 P11-30A (1005).105-01 OS & SA
(1940-41) Contract Authorization
\$7,168,435.00.

the available balance of which is sufficient to cover cost of same.

This contract, entered into this 9th day of June 1941.

Scope of this contract. The contractor shall furnish and deliver * * * Guns for the consideration stated of ten million, six hundred sixty-one thousand, five hundred fifty-seven dollars and

forty-three cents (\$10,661,557.43) in strict accordance with the specifications, schedules and drawings, all of which are made a part hereof.

Defense Plant Corporation lease rental. The consideration stated above of ten million, six hundred sixty-one thousand, five hundred fifty-seven dollars and forty-three cents (\$10,661,557.43) includes * * * rent payable by the contractor pursuant to that certain agreement of lease with Defense Plant Corporation.

Changes. Where the supplies to be furnished are to be specially manufactured in accordance with drawings and specifications, the Contracting Officer may at any time, by a written order and without notice to the sureties, make changes in the drawings or specifications, except Federal Specifications.

Delays—Damages. If the Contractor refuses or fails to make deliveries of the materials or supplies within the time specified in Article 1, or any extension thereof, the Government may by written notice terminate the right of the Contractor to proceed with deliveries on such part or parts thereof as to which there has been delay.

Quantities. The Government reserves the right to increase the quantity on this contract by as much as * * * % and at a price proportionate to that specified in Article 1, subject to price adjustments specified in Article 28, such option to be exercised within * * * days from date of this contract.

Termination when contractor not in default. This contract is subject to termination by the Government at any time as its interests may require.

Payments. The Contractor shall be paid from time to time upon the submission of properly certified invoices or vouchers the pro rata portion of the contract price, subject to adjustments as provided in Article 28, for all guns and spare parts therefor, which may be delivered and accepted by the Government, less deductions, if any, as provided for in this contract. Partial payments may also be made from time to time as provided for in Article 26.

Advance payments. (a) At any time and from time to time, after the approval of this contract, at the request of the Contractor and subject to the approval of the Chief of Ordnance, as to the necessity therefor, the Government shall advance to the Contractor, without payment of interest therefor by the Contractor, sums not to exceed \$3,100,000.00.

(b) As a condition precedent to the making of any advance payment or payments as hereinbefore provided, the Contractor shall furnish the Government with such surety bond or bonds or other adequate security as The Secretary of War shall prescribe.

Title to property. The title to all property upon which any partial payment is made prior to completion of contract, shall vest in the Government.

Price adjustments. The contract price stated herein is subject to adjustment

for increases or decreases in the cost of labor and materials.

Use of Government owned facilities. It is understood that this contract is predicated upon the use of Defense Plant Corporation facilities and machine tools leased by the Contractor from the United States Government.

(This contract is authorized by the ACT of July 3, 1940, Public No. 703, 76th Congress.)

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4635; Filed, June 28, 1941;
12:51 p. m.]

[Contract No. W 7090 qm-1; O. I. No. 1]

SUMMARY OF FIXED-FEE CONTRACT FOR ARCHITECT-ENGINEER SERVICES¹

ARCHITECT-ENGINEER: SCHULZ & NORTON

Address: 870 Shrine Building, Memphis, Tennessee.

Amount fixed fee: For title I, \$51,940.00; for title II, \$18,677.00.

Estimated cost of construction project: \$10,213,700.00.

Type of construction project: Quartermaster Storage Depot.

Location: Memphis, Tennessee.

Type of service: Architect-Engineer.

The supplies and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to, Procurement Authority No. QM 8862 P. L. 29 77th A 0540-12 the available balance of which is sufficient to cover the cost of same.

This contract, entered into this 20th day of May 1941.

Title I

ARTICLE I-A. Description of the work. The Architect-Engineer shall perform all the necessary services provided under this contract for the following described project: The construction of the Quartermaster Depot, including necessary buildings, temporary structures, utilities and appurtenances thereto at Memphis, Tennessee.

ARTICLE I-B. Character and extent of services. 1. The Architect-Engineer shall perform the following services:

a. Make all necessary topographical and other surveys and maps.

c. Prepare preliminary studies, sketches, and reports for all structures, utilities and appurtenances.

g. When preliminary drawings are approved by the Contracting Officer, prepare final designs, detailed working drawings and specifications in accordance with Government standards necessary for the effective coordination and efficient execution of the construction work and revise the drawings and specifications as required by the Contracting Officer.

¹ Approved by the Under Secretary of War May 29, 1941.

¹ Approved by the Under Secretary of War June 13, 1941.

h. Prepare an estimate of the cost of the proposed project based on the approved designs, drawings and specifications therefor.

ART. I-D. *Fixed-fee and reimbursement of expenditures.* In consideration for his undertakings under this Title I, the Architect-Engineer shall be paid the following: A fixed fee in the amount of fifty one thousand nine hundred forty and no/100 dollars (\$51,940.00) which shall constitute complete compensation under this Title I for the Architect-Engineer's services.

Title II

Upon the satisfactory completion and acceptance of the work and services to be furnished under Title I, the Government, at its option, may elect to have the Architect-Engineer perform the work and services provided under this Title II. Upon such election, the Contracting Officer shall, by a written order, direct the Architect-Engineer to proceed with such work and services. Title II of this contract shall become operative only if and when such an order is issued by the Contracting Officer and received by the Architect-Engineer.

ART. II-A. *Services to be furnished by architect-engineer.* 1. The Architect-Engineer shall perform the following services:

a. Assist the Contracting Officer in obtaining, analyzing and evaluating proposals or bids for a construction contract or contracts based upon the approved drawings and specifications.

b. Prepare record drawings in required form, or correct contract and working drawings and specifications to show construction as actually accomplished.

c. Supervise the work designed by the Contracting Officer to insure the construction of every part of the work in accordance with the approved drawings and specifications referred to in Paragraph "d" of Article I-B above.

ART. II-C. *Fixed fee and reimbursement of expenditures.* In consideration for his undertakings under this Title II, the Architect-Engineer shall be paid the following: A fixed fee in the amount of eighteen thousand six hundred seventy seven and no/100 dollars (\$18,677.00) which shall constitute complete compensation under this Title II for the Architect-Engineer's services.

Title III

The provisions of this title shall apply to this entire contract, to-wit: to Title I and likewise to Title II, should Title II become operative as provided therein.

ART. III-A. *Services to be performed by Architect-engineer.* 1. The Architect-Engineer shall, in the shortest reasonable time, establish and maintain an office at or near the site of the work and shall perform the following services:

a. Consult and advise with the Contracting officer on any questions which may arise in connection with the work.

b. Perform all other architectural and engineering services within the scope of this contract, required by the Contracting Officer.

e. The Architect-Engineer shall perform such other work and services not mentioned in this contract as are set forth in Exhibit A heretofore mentioned in Article I-A hereof.

ART. III-B. *Data to be furnished by the Government.* The Government shall furnish the Architect-Engineer available preliminary data, layout sketches, and other information respecting sites, topography, soil conditions, outside utilities and equipment as may be essential for the preparation of preliminary sketches and the development of final drawings and specifications, and applicable Government standards, designs, drawings and specifications.

ART. III-D. *Reimbursement.* In addition to the payment of the fixed fee as specified in Article I-D and Article II-C hereof, the Architect-Engineer will be reimbursed for such of his actual expenditures in the performance of the work as may be approved or ratified by the Contracting Officer and as are included herein.

ART. III-F. *Method of payment.* Payments shall be made on vouchers approved by the Contracting Officer on standard forms, as soon as practicable after the submission of statements, with original certified pay rolls, receipted bills for all expenses including materials, supplies and equipment, and all other supporting data and 90% of the amount of the Architect-Engineer's fixed-fee earned. Upon completion of the project, the Architect-Engineer shall be paid the unpaid balance of any money due the Architect-Engineer hereunder.

ART. III-G. *Drawings and other data to become property of government.* All drawings and specifications are to become the property of the Government on completion of payments.

ART. III-J. *Changes in the scope of the project.* The Contracting Officer may, at any time, by a written order, issue additional instructions, require additional work or services, or direct the omission of work or services covered by this contract.

ART. III-K. *Termination for cause or for convenience of the Government.* The Government may terminate this contract at any time and for any cause by a notice in writing from the Contracting Officer to the Architect-Engineer.

ART. III-L. *Reduction in forces.* When in the opinion of the Contracting Officer the Architect-Engineer's personnel and/or overhead is excessive for the proper performance of this contract, reductions thereof shall be made as required by the Contracting Officer.

This contract is authorized by the following laws:

Public No. 611—76th Congress, Approved June 13, 1940.

Public No. 703—76th Congress, Approved July 2, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4636; Filed, June 28, 1941; 12:52 p. m.]

[Contract No. W 7090 qm 2; O. I. No. 2]

SUMMARY OF COST-PLUS-A-FIXED FEE CONSTRUCTION CONTRACT¹

Contractor: Walters & Prater and Mark K. Wilson Company, Morristown and Chattanooga, respectively, State of Tennessee.

Fixed-fee: \$117,335; additional optional fixed fee, \$114,280.

Contract for: Construction of Quartermaster General Depot.

Place: Memphis, Tennessee.

Estimated cost of project: \$2,800,865; additional optional cost, \$4,681,220.

The work and services to be obtained by this instrument are authorized by, are for the purpose set forth in, and are chargeable to, Procurement Authority No. QM 18010 PL 29-77th Congress A 0540-12 the available balance of which is sufficient to cover the cost of same.

This contract, entered into this 24th day of May 1941.

ARTICLE I. *Statement of work.* The Contractor shall, in the shortest possible time, furnish the labor, materials, tools, machinery, equipment, facilities, supplies not furnished by the Government, and services, and do all things necessary for the completion of the following work: The construction of a Quartermaster General Depot, including necessary buildings, temporary structures, utilities, and appurtenances thereto; all as more generally described in Appendix "B", in the column headed "1941".

It is estimated that the total cost of the construction work covered by this Article will be approximately two million eight hundred thousand eight hundred sixty-five dollars (\$2,800,865), exclusive of the Contractor's fee.

In consideration for his undertaking under this contract the Contractor shall receive the following:

(a) Reimbursement for expenditures as provided in Article II.

(b) Rental for Contractor's equipment as provided in Article II.

(c) A fixed-fee in the amount of one hundred seventeen thousand three hundred thirty-five dollars (\$117,335) which shall constitute complete compensation for the Contractor's services, including profit and all general overhead expenses.

The Contracting Officer may, at any time, by a written order, issue additional instructions, require additional work or services, or direct the omission of work or services covered by this contract.

¹ Approved by the Under Secretary of War June 14, 1941.

The title to all work, completed or in the course of construction, shall be in the Government. Likewise, upon delivery at the site of the work or at any approved storage site and upon inspection and acceptance in writing by the Contracting Officer, title to all materials, tools, machinery, equipment and supplies, for which the Contractor shall be entitled to be reimbursed under Article II, shall vest in the Government.

ART. III. Payments — Reimbursement for cost. 1. The Government will currently reimburse the Contractor for expenditures made in accordance with Article II upon certification to and verification by the Contracting Officer of the original signed pay rolls for labor, the original paid invoices for materials, or other original papers. Generally, reimbursement will be made weekly but may be made at more frequent intervals if the conditions so warrant.

Rental for contractor's equipment. 2. Rental as provided in Article II for such construction plant or parts thereof as the Contractor may own and furnish shall be paid monthly upon presentation of proper vouchers.

Payment of the fixed-fee. 3. The fixed-fee prescribed in Article I shall be compensation in full for the services of the Contractor, including profit and all general overhead expenses. Ninety percent (90%) of said fixed-fee shall be paid as it accrues, in monthly installments based upon the percentage of the completion of the work as determined from estimates made and approved by the Contracting Officer. Upon completion of the work and its final acceptance, any unpaid balance of the fee shall be paid to the Contractor.

ART. VI. Termination of contract by Government. Should the Contractor at any time refuse, neglect, or fail to prosecute the work with promptness and diligence, or default in the performance of any of the agreements herein contained, or should conditions arise which make it advisable or necessary in the interest of the Government to cease work under this contract, the Government may terminate this contract by a notice in writing from the Contracting Officer to the Contractor.

ART. XX. The performance of optional work. The Government may at its option elect to have the Contractor perform the work and services herein-after set forth in this Article for the fee and within the time indicated in the event funds should become available from a future appropriation. Upon such contingency, and in the event the option is exercised by the Government, the Contracting Officer shall, by a written order, direct the Contractor to proceed with such work and services, and thereupon the terms and conditions of this Article shall be considered operative and in effect as part of this contract; but not otherwise.

Statement of optional work. The Contractor shall, in the shortest possible time, furnish the labor, materials, tools,

machinery, equipment, facilities, supplies not furnished by the Government, and services, and do all things necessary for the completion of the following work: The construction of a Quartermaster General Depot, including necessary buildings, temporary structures, utilities and appurtenances thereto; all as more generally described in Appendix "B" dated May 16, 1941, attached hereto and made a part hereof, but limited to those buildings and structures for which an estimate is made in the column headed "1942" of page 8 of such appendix.

Estimated cost of optional work. It is estimated that the total cost of the optional construction work covered by this Article will be approximately four million six hundred eighty-one thousand two hundred twenty dollars (\$4,681,220), exclusive of the Contractor's fee.

Fixed-fee for optional work. In consideration for his undertaking under this Article the Contractor shall receive a fixed-fee in the amount of one hundred fourteen thousand two hundred eighty dollars (\$114,280) which shall constitute complete compensation for the Contractor's services under this Article, including profit and all general overhead expenses.

This contract is authorized by the following law: Public 703—76th Congress, approved July 2, 1940.

FRANK W. BULLOCK,
Major, Signal Corps,
Assistant to the Director of
Purchases and Contracts.

[F. R. Doc. 41-4637; Filed, June 28, 1941;
12:52 p. m.]

APPOINTMENT IN THE OFFICERS' RESERVE CORPS OF FORMER R. O. T. C. GRADU- ATES

JUNE 21, 1941.

To: The Commanding Generals of all Armies, Corps Areas and Departments, and Chiefs of Arms and Services.

1. The following policy will govern appointments in the Officers' Reserve Corps of former graduates of the R. O. T. C. who have failed to accept appointments when offered:

a. Applications must be made within five years of the date of graduation.

b. Appointments will not be made in sections other than that in which training was had and will be limited to the lowest grade in that section.

c. Applicants will be required to meet the non-military educational requirements of Army Regulations governing appointments in the Officers' Reserve Corps at the time applications are made, and no exemptions will be granted by reason of graduation from the R. O. T. C.

d. Applicants will be required to secure a Certificate of Capacity for the grade and section in which commission is sought, as prescribed in paragraph 34, AR 140-5, except that the practical test prescribed in paragraph 34a (2) may be waived. No exemptions from the re-

quired Army Extension Courses will be granted.

e. Applicants meeting the above requirements may be appointed without regard to existing vacancies or suspension of appointments.

By order of the Secretary of War.

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 41-4638; Filed, June 28, 1941;
12:52 p. m.]

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. A-253]

PETITION OF DISTRICT BOARD NO. 14 FOR
REVISION OF EFFECTIVE PRICE CLASSIFI-
CATIONS AND MINIMUM PRICES FOR THE
COALS PRODUCED AT CERTAIN MINES IN
DISTRICT NO. 14

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of inter-

vention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matter specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 14 for revision of the effective price classifications and minimum prices for certain coals produced at the mines of the following named code members in District No. 14: C. H. Harper & Sons Coal Co. (Mine Index No. 18); West Coal Company (Mine Index No. 31); K. & S. Coal Company (Mine Index No. 57); Smokeless Coal Company (Mine Index No. 121); and Triple C Coal Company (Mine Index No. 188).

Dated: June 27, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-4641; Filed, June 30, 1941;
9:52 a. m.]

[Docket No. A-359]

PETITION OF DISTRICT NO. 14 FOR THE ESTABLISHMENT OF A SPECIAL MINIMUM PRICE FOR CERTAIN COALS PRODUCED AT CERTAIN MINES IN DISTRICT 14 UPON SALES TO EXCELSIOR PREPARATION PLANT, INC.

NOTICE OF AND ORDER FOR HEARING

A petition having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 14 for the establishment of a special minimum f. o. b. mine price of \$2.65 per ton for the mine run coals produced at Mine Index Nos. 13, 33, 89, and 144 in that district, upon sales for shipment by truck to Excelsior Preparation Plant, Inc. at Hackett, Arkansas for screening, preparation and marketing by that plant. Dated June 27, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-4642; Filed, June 30, 1941;
9:52 a. m.]

[Docket No. A-405]

PETITION OF DISTRICT BOARD NO. 14 FOR REVISION OF THE EFFECTIVE PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 122 IN DISTRICT NO. 14

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of

any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 14 for modification of the effective minimum prices and revision of the effective price classifications for the coals

In Size Group 4, from "H" to "J";
In Size Groups 6 to 8, inclusive, from "I" to "K";
In Size Group 9, from "I" to "L"; and
In Size Group 11, from "E" to "F"

produced at Mine Index No. 122 operated by R. A. Young & Son Coal Co., a code member in District No. 14.

Dated: June 27, 1941.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 41-4643; Filed, June 30, 1941;
9:53 a. m.]

[Docket No. A-899]

PETITION OF ROSS A. SWIGART, A CODE MEMBER IN DISTRICT NO. 19, FOR THE ESTABLISHMENT OF ADDITIONAL PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF THE SWIGART MINE (MINE INDEX NO. 177) IN THAT DISTRICT

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the appli-

cable provisions of said Act and the rules of the Division be held on August 15, 1941, at 2 o'clock in the afternoon of that day, at a hearing room of the Bituminous Coal Division, in the Post Office Building, Cheyenne, Wyoming.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before August 9, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the establishment of additional price classifications and minimum prices for truck shipments of the coals in Size Group 8 of the Swigart Mine (Mine Index No. 177) of Ross A. Swigart, a code member in District No. 19, and, more particularly, for the establishment of a minimum price of \$1.75 per net ton for those coals in the size, 2" x 3/4", and for a minimum price of \$1.25 per net ton for those coals in the size, 2" x 5/8".

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4644; Filed, June 30, 1941;
9:53 a. m.]

[Docket No. A-730]

PETITION OF LEWIS BROS. COAL CO., A CODE MEMBER IN DISTRICT NO. 14 FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICE FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 63 IN THAT DISTRICT

NOTICE OF AND ORDER FOR HEARING

A petition having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of Lewis Bros. Coal Co., a code member in District No. 14 for a reduction from \$4.50 to \$3.50

per ton in the effective minimum price for certain coals produced at Mine Index No. 63 in that district.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4645; Filed, June 30, 1941;
9:53 a. m.]

[Docket No. A-360]

PETITION OF DISTRICT BOARD NO. 14 FOR THE ESTABLISHMENT OF ADDITIONAL PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS PRODUCED AT CERTAIN MINES IN SUBDISTRICT NO. 3 OF DISTRICT NO. 14 UPON SALES TO AND BY PARIS COAL WASHERY, INC.

NOTICE OF AND ORDER FOR HEARING

A petition having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifi-

cally alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 14 for the establishment of additional price classifications and minimum prices for the coals produced at certain mines in Subdistrict No. 3 of District No. 14, upon sales to and by Paris Coal Washery, Inc., and more particularly, for the establishment of a minimum f. o. b. mine price of \$1.92 per ton for those raw coals in size 3" x 0 upon sales to Paris Coal Washery, Inc., at Paris, Arkansas, and for the establishment of minimum prices f. o. b. that washery for their washed resultants in certain other sizes.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4646; Filed, June 30, 1941;
9:54 a. m.]

[Docket No. A-870]

PETITION OF DISTRICT BOARD NO. 14 FOR REVISION OF EFFECTIVE PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR COALS PRODUCED AT CERTAIN MINES IN PRODUCTION GROUP NO. 3 IN DISTRICT NO. 14

NOTICE OF AND ORDER FOR HEARING

A petition, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party;

It is ordered, That a hearing in the above-entitled matter under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room, Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings, and eligible to become a party

herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the petition of District Board No. 14 for the revision of price classifications and minimum prices for all shipments for certain coals produced by the following named code members in Production Group 3 in District No. 14: J. O. Atchinson (Mine Index No. 151); J. H. Canady (Mine Index No. 426); Luther Gabbard (Mine Index No. 459); W. M. Hampton (Mine Index No. 190); Newt Sizmore (Mine Index No. 200); L. B. Stinnett (Mine Index No. 478); S. A. Tucker (Mine Index No. 339); and Abel J. Wald (Mine Index No. 347).

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4647; Filed, June 30, 1941;
9:54 a. m.]

[Docket No. A-597]

PETITION OF THE CONSUMERS' COUNSEL DIVISION FOR A REDUCTION IN THE MINIMUM PRICES OF SIZE GROUPS 6, 7, 8 AND 9 PRODUCED IN DISTRICT 4 FOR SHIPMENT TO MARKET AREAS 4, 5 AND 7 TO 21 INCLUSIVE

NOTICE OF AND ORDER FOR HEARING

After due notice to interested parties the above-entitled matter came on for hearing on June 9, 1941, before Travis Williams, Examiner. Upon motion made at said hearing by the representative of the Bituminous Coal Producers Board for District No. 3, the hearing was continued until further order by the Director. Thereafter, and on June 12, 1941, the original petitioner herein filed a motion praying that the Director reset the matter for hearing on June 18, 1941, or as soon thereafter as the Director deems proper.

The Director is of the opinion that the aforesaid motion of the original petitioner to reset the hearing for June 18, 1941, was filed at too late a date to permit adequate notice thereof to interested parties.

Now, therefore, it is ordered, That the hearing herein be continued until 10 o'clock in the forenoon of July 15, 1941, at a hearing room to be designated by the Chief of the Records Section, Bituminous Coal Division, 734 Fifteenth Street NW., Washington, D. C. In all other respects the original Notice of and Order for Hearing and any amendments thereto shall remain in full force and effect.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4648; Filed, June 30, 1941;
9:55 a. m.]

[Docket Nos. A-137, A-208, A-251]

PETITIONS OF DISTRICT BOARD NO. 14 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES NOT HERETOFORE CLASSIFIED AND PRICED AND FOR THE REVISION OF CERTAIN PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN OTHER MINES HERETOFORE CLASSIFIED AND PRICED

[Docket No. A-137—Part II]

PETITION OF DISTRICT BOARD NO. 14 FOR THE REVISION OF THE PRICE CLASSIFICATION AND MINIMUM PRICE HERETOFORE ESTABLISHED FOR CERTAIN COALS OF GREAT WESTERN COAL COMPANY, MINE INDEX NO. 44, IN DISTRICT NO. 14

[Docket No. A-737]

PETITION OF DISTRICT BOARD NO. 14 FOR THE REVISION OF THE PRICE CLASSIFICATION AND MINIMUM PRICE HERETOFORE ESTABLISHED FOR CERTAIN COALS OF GREAT WESTERN COAL COMPANY, MINE INDEX NO. 44, IN DISTRICT NO. 14

ORDER SEVERING DOCKET NO. A-137—PART II FROM DOCKET NOS. A-137, A-208, AND A-251 AND CONSOLIDATING DOCKET NO. A-137—PART II AND DOCKET NO. A-737; AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NOS. A-137—PART II AND A-737

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 were duly filed with this Division by the above-named party in Docket Nos. A-137, A-208, and A-251, requesting, among other matters, the revision of the price classifications and minimum prices established for the coals of certain mines in District No. 14, including those of Great Western Coal Company, Mine Index No. 44, in Size Groups 6 and 7. This producer filed a petition of intervention in Docket No. A-137. As amended, the petition of intervention requested revision of the price classification and minimum price established for its coals in Size Group 4 and opposed the requested revision as to its coals in Size Groups 6 and 7.

By an Order of the Director dated November 13, 1940 Docket Nos. A-137, A-208 and A-251 were consolidated for the purpose of hearing and, pursuant to subsequent orders of postponement and continuance, a hearing therein was held

and concluded at a hearing room of the Bituminous Coal Division at Fort Smith, Arkansas on April 10-12, 1941, except, among other matters, as to that portion of the petition in Docket No. A-137 relating to the proposed revision of the price classifications and minimum prices applicable to the coals in Size Groups 4, 6, and 7 of Mine Index No. 44. At the said hearing the Examiner granted, subject to the further order of the Director, the motion of District Board No. 14 that the hearing on such portion of Docket No. A-137 be continued until a later date.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed by District Board No. 14 in Docket No. A-737 for the revision of the price classification and minimum price established for the coals in Size Group 8 produced at Mine Index No. 44. A hearing has not heretofore been scheduled in this matter.

It appears that a hearing should be scheduled as to the said remaining portion of Docket No. A-137 and that the issues therein are related to those in Docket No. A-737.

Now, therefore, it is ordered, That that portion of Docket No. A-137 relating to the coals produced at Mine Index No. 44 is severed from the remainder of Docket Nos. A-137, A-208, and A-251; is designated as Docket No. A-137-Part II; and is consolidated with Docket No. A-737 for the purposes of hearing and for such other purposes as the officer hereinafter designated to preside at such hearing may deem appropriate.

It is further ordered, That a hearing in Docket No. A-137-Part II and Docket No. 737 under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941 at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room in Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be ad-

mitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the original petitions of District Board No. 14 and the intervening petition of Great Western Coal Company for revision of the effective price classifications and minimum prices for the coals in Size Groups 4, 6, 7 and 8 produced at Mine Index No. 44 of Great Western Coal Company, a code member in District No. 14, and in particular for a reduction of 10 cents per ton for those coals classified "H" in Size Group 4 and for revision of the effective price classifications for those coals in Size Groups 6 and 7 from "K" to "I" and in Size Group 8 from "K" to "J".

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4649; Filed: June 30, 1941;
9:55 a. m.]

[Dockets Nos. A-409, A-512, A-513]

PETITION OF DISTRICT BOARD NO. 14 AND KEENER MINING COMPANY FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES IN DISTRICT NO. 14 NOT HERETOFORE CLASSIFIED AND PRICED

ORDER SEVERING DOCKET NO. A-513 FROM DOCKETS NOS. A-409 AND A-512 AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NO. A-513

Petitions, pursuant to the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named parties requesting the establishment of price classifications and minimum prices for the coals of certain mines in District No. 14 not theretofore classified and priced, and, in Docket No. A-513, the original petitioner, Keener Mining Company, having requested such relief for the coals produced at Mine Index No. 213 in that district; and

The Director, by an Order of consolidation and granting temporary relief and conditionally providing for final relief,

dated January 31, 1941, having consolidated the matters involved in such petitions and established temporary minimum prices for such coals, and having provided that applications to stay, terminate or modify the temporary relief therein granted might be filed with the Division within forty-five (45) days thereafter, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Division in Proceedings Instituted Pursuant to the Act, and further providing that the relief therein granted would become final sixty (60) days thereafter unless the Director should otherwise order; and

District Board No. 14, having duly filed with the Division in Docket No. A-513 its petition of intervention and its application to terminate the relief granted in that Order as to the coals produced at Mine Index No. 213, praying that the price classifications and minimum prices proposed therein be established temporarily for such coals, and for a hearing in the matter; and

The Director having omitted to rule on such petition and application within the said sixty (60) days and being of the opinion that there should be a hearing on the subject matter of such petition;

Now, therefore, it is ordered, That Docket No. A-513 be, and the same hereby is, severed from Dockets Nos. A-409 and A-512.

It is further ordered, That the price classifications and minimum prices heretofore established for the coals of Mine Index No. 213 shall remain in effect, pending further order of the Director.

It is further ordered, That Keener Mining Company show cause, within ten (10) days from the date hereof, why a hearing should not be held in Docket No. A-513.

It is further ordered, That, unless the Director shall otherwise order, a hearing in Docket No. A-513 under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room in Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or

entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petition is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein, may concern, in addition to the matters specifically alleged in the petition, other matters necessarily incidental and related thereto, which may be raised by amendment to the petition, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of this petition.

The matter concerned herewith is in regard to the revision of the price classifications and minimum prices established by the said Order of the Director of January 31, 1941, in so far as it relates to the coals produced at Mine Index No. 213 of Keener Mining Company, a code member in District No. 14.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4650; Filed, June 30, 1941;
9:55 a. m.]

[Docket Nos. A-137, A-208, A-251]

PETITIONS OF DISTRICT BOARD NO. 14 FOR THE ESTABLISHMENT OF PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN MINES NOT HERETOFORE CLASSIFIED AND PRICED AND FOR THE REVISION OF CERTAIN PRICE CLASSIFICATIONS AND MINIMUM PRICES FOR THE COALS OF CERTAIN OTHER MINES HERETOFORE CLASSIFIED AND PRICED

[Docket No. A-137-Part III]

PETITION OF DISTRICT BOARD NO. 14 FOR THE REVISION OF THE PRICE CLASSIFICATIONS AND MINIMUM PRICES HERETOFORE ESTABLISHED FOR CERTAIN COALS OF HARPER & THORNTON COAL CO., MINE INDEX NO. 195, IN DISTRICT NO. 14

[Docket No. A-760]

PETITION OF HARPER & THORNTON COAL CO., A CODE MEMBER IN DISTRICT NO. 14, FOR REVISION OF THE CLASSIFICATIONS AND MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 195 IN THAT DISTRICT

ORDER SEVERING DOCKET NO. A-137-PART III FROM DOCKET NOS. A-137, A-208 AND A-251 AND CONSOLIDATING DOCKET NO.

No. 127—5

A-137-PART III AND DOCKET NO. A-760; AND NOTICE OF AND ORDER FOR HEARING IN DOCKET NOS. A-137-PART III AND A-760

Original petitions, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, were duly filed with this Division by District Board No. 14 in Docket Nos. A-137, A-208 and A-251, requesting, among other things, revision of the price classifications and minimum prices established for the coals of certain mines in District No. 14, including those of Harper & Thornton Coal Co., Mine Index No. 195, in Size Groups 4, 6, 7 and 8. Thereafter an original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by Harper & Thornton Coal Co. in Docket No. A-760, requesting modification of the effective price classifications and minimum prices for the coals in Size Groups 7 and 8 produced at Mine Index No. 195 and opposing the revision as to the coals of that mine in Size Groups 4 and 6, requested by District Board No. 14.

By Order of the Director dated November 13, 1940, Dockets Nos. A-137, A-208 and A-251 were consolidated for the purposes of hearing, and, pursuant to subsequent orders of postponement and continuance, a hearing therein was held and concluded at a hearing room of the Bituminous Coal Division at Fort Smith, Arkansas, on April 10-12, 1941, except, among other matters, as to that portion of the petition in Docket No. A-137 relating to the proposed revision of the price classifications and minimum prices applicable to the coals in Size Groups 4, 6, 7 and 8 of Mine Index No. 195. At the said hearing, the Examiner granted, subject to the further order of the Director, the motion of Harper & Thornton Coal Co. that the hearing on such portion of Docket No. A-137 be continued until a later date.

It appears that a hearing should be scheduled as to the said remaining portion of Docket No. A-137 and that the issues therein are related to those in Docket No. A-760.

Now, therefore, it is ordered, That that portion of Docket No. A-137 relating to the coals produced at Mine Index No. 195 is severed from the remainder of Docket Nos. A-137, A-208 and A-251; is designated as Docket No. A-137-Part III; and is consolidated with Docket No. A-760 for the purposes of hearing and for such other purposes as the officer hereinafter designated to preside at such hearing may deem appropriate.

It is further ordered, That a hearing in Docket No. A-137-Part III and Docket No. A-760 under the applicable provisions of said Act and the rules of the Division be held on July 30, 1941, at 10 o'clock in the forenoon of that day, at a hearing room of the Bituminous Coal Division, in the Circuit Court Room in Fort Smith, Arkansas.

It is further ordered, That D. C. McCurtain or any other officer or officers of the Division duly designated for that purpose shall preside at the hearing in such matter. The officers so designated to preside at such hearing are hereby authorized to conduct said hearing, to administer oaths and affirmations, examine witnesses, subpoena witnesses, compel their attendance, take evidence, require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, to continue said hearing from time to time, and to prepare and submit to the Director proposed findings of fact and conclusions of law and the recommendation of an appropriate order in the premises, and to perform all other duties in connection therewith authorized by law.

Notice of such hearing is hereby given to all parties herein and to persons or entities having an interest in these proceedings and eligible to become a party herein. Any person desiring to be admitted as a party to this proceeding may file a petition of intervention in accordance with the rules and regulations of the Bituminous Coal Division for proceedings instituted pursuant to section 4 II (d) of the Act, setting forth the facts on the basis of which the relief in the original petitions is supported or opposed or on the basis of which other relief is sought. Such petitions of intervention shall be filed with the Bituminous Coal Division on or before July 25, 1941.

All persons are hereby notified that the hearing in the above-entitled matter and any orders entered therein may concern, in addition to the matters specifically alleged in the petitions, other matters necessarily incidental and related thereto, which may be raised by amendment to the petitions, petitions of interveners or otherwise, or which may be necessary corollaries to the relief, if any, granted on the basis of these petitions.

The matter concerned herewith is in regard to the petitions of District Board No. 14 and Harper & Thornton Coal Company for revision of the price classifications and minimum prices for the coals in Size Groups 4, 6, 7 and 8 produced at Mine Index No. 195, operated by that Company, a code member in District No. 14, and, in particular, the Board's request that the price classifications of those coals in Size Group 4 be changed from "I" to "G" and in Size Groups 6, 7 and 8 from "J" to "H", and to that Company's request that those classifications in Size Groups 7 and 8 be changed to "L" and its opposition to the Board's request for changing those classifications in Size Groups 4 and 6.

Dated: June 27, 1941.

[SEAL]

H. A. GRAY,
Director.

[F. R. Doc. 41-4651; Filed, June 30, 1941;
9:56 a. m.]

[Dockets Nos. A-611, A-638]

PETITIONS OF PLAINVIEW COAL CO., A CODE MEMBER IN DISTRICT NO. 15, FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT MINE INDEX NO. 1097 IN THAT DISTRICT; T. B. & M. COAL COMPANY, ET AL., CODE MEMBERS IN DISTRICT NO. 15, FOR MODIFICATION OF THE EFFECTIVE MINIMUM PRICES FOR CERTAIN COALS PRODUCED AT CERTAIN MINES IN THAT DISTRICT; PURSUANT TO SECTION 4 II (d) OF THE BITUMINOUS COAL ACT OF 1937

ORDER RECONVENING HEARING

Original petitions in the above-entitled matters were filed with this Division by the above-named parties, code members in District No. 15, and a petition of intervention was filed by District Board No. 15 in Docket No. A-638, wherein that Board opposed the granting of the relief requested by the original petition in that docket.

By orders of the Director dated March 13 and 18, 1941, the above-entitled matters were consolidated and scheduled for hearing on March 25, 1941, at a hearing room of the Bituminous Coal Division in Washington, D. C. None of the petitioners appeared at such hearing and no evidence was offered in support of their petitions. The hearing was continued indefinitely by the Examiner subject to the further order of the Director.

It now appearing that the hearing in this matter should be reconvened in the near future at McAlester, Oklahoma;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be reconvened at 10 o'clock in the forenoon of July 29, 1941, at a hearing room of the Division at the Federal Building, McAlester, Oklahoma, before the officers previously designated to preside at the hearing.

In all other respects the original notices of and orders for hearing and of consolidation shall remain in full force and effect.

Dated: June 27, 1941.

[SEAL] H. A. GRAY,
Director.[F. R. Doc. 41-4652; Filed, June 30, 1941;
9:56 a. m.]

[Docket No. 1597-FD]

IN THE MATTER OF WALLACE COAL COMPANY, DEFENDANT, DISTRICT NO. 10

ORDER POSTPONING HEARING

The above-entitled matter having been heretofore scheduled for hearing on June 30, 1941, at the County Court House, Marion, Illinois; and

The Director deeming it advisable that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of June 30, 1941, until 10 o'clock in the forenoon of July 28, 1941, at the place heretofore designated and before the

officers previously designated to preside at said hearing.

Dated: June 26, 1941.

[SEAL] H. A. GRAY,
Director.[F. R. Doc. 41-4653; Filed, June 30, 1941;
9:56 a. m.]

[Docket No. 1678-FD]

IN THE MATTER OF WALLACE COAL COMPANY DEFENDANT, DISTRICT NO. 10

ORDER POSTPONING HEARING AND EXTENDING TIME TO ANSWER

The above-entitled matter having been heretofore scheduled for hearing on June 30, 1941, at a hearing room of the Bituminous Coal Division, Circuit Court Room, County Court House, Marion, Illinois, and Wallace Coal Company the defendant in the above-entitled matter having requested an extension of time in which to file its answer herein; and

It appearing to the Director that said hearing should be postponed and that defendant has shown good cause why said extension should be granted;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of June 30, 1941, until 10 o'clock in the forenoon of July 28, 1941, at the place heretofore designated and before the officers previously designated to preside at said hearing.

It is further ordered, That the time within which the defendant may file its answer in the above-entitled matter be, and the same hereby is, extended from June 25, 1941, to and including July 22, 1941.

Dated: June 26, 1941.

[SEAL] H. A. GRAY,
Director.[F. R. Doc. 41-4654; Filed, June 30, 1941;
9:56 a. m.]

Bureau of Reclamation.

FIRST FORM RECLAMATION WITHDRAWAL, SAN LUIS VALLEY PROJECT, COLORADO

MAY 31, 1941.

THE SECRETARY OF THE INTERIOR.

SIR: It is recommended that the following described lands be withdrawn from public entry under the first form withdrawal as provided in section 3, Act of June 17, 1902 (32 Stat., 388).

SAN LUIS VALLEY PROJECT, COLORADO

New Mexico Principal Meridian

Township 41 North, Range 1 East, N. M. P. M., Colorado,

Sec. 2, All;
Sec. 3, All;
Sec. 4, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 5, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 6, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 7, E $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 8, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 9, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 10, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 13, E $\frac{1}{2}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 17, All;
Sec. 18, All;
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 24, All;
Sec. 25, All;
Sec. 26, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 36, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Township 42 North, Range 1 East,
Sec. 31, All;
Sec. 32, All;
Township 40 North, Range 2 East,
Sec. 2, All;
Sec. 3, N $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 4, All;
Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Township 41 North, Range 2 East,
Sec. 7, All;
Sec. 18, All;
Sec. 29, All;
Sec. 30, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 32, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, All;
Township 35 North, Range 3 East,
Sec. 1, All;
Sec. 12, All;
Township 40 North, Range 3 East,
Sec. 18, E $\frac{1}{2}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 19, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 30, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 32, All;
Sec. 33, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Township 35 North, Range 4 East,
Sec. 6, All;
Township 36 North, Range 4 East,
Sec. 14, All;
Sec. 15, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, N $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Township 41 North, Range 1 West,
Sec. 1, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 3, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 9, All;
 Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 11, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 13, All;
 Sec. 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 15, All;
 Sec. 16, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, All;
 Sec. 28, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 29, N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$,
 SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Township 42 North, Range 1 West,
 Sec. 36, All.

Respectfully,

JOHN C. PAGE,
 Commissioner.

I concur June 12, 1941.

FRED W. JOHNSON,
 Commissioner, General Land
 Office.

June 18, 1941.

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

W. C. MENDENHALL,
 Acting Assistant Secretary.

[F. R. Doc. 41-4659; Filed, June 30, 1941;
 10:02 a. m.]

FIRST FORM RECLAMATION WITHDRAWAL, SAN LUIS VALLEY PROJECT, COLORADO

MAY 31, 1941.

THE SECRETARY OF THE INTERIOR.

SIR: In accordance with the authority vested in you by the Act of June 28, 1934 (48 Stat., 1269) as amended, it is recommended that the following described lands be withdrawn from public entry under the first form withdrawal, as provided in section 3, Act of June 17, 1902 (32 Stat., 388), and that Departmental order of September 27, 1940, including the said lands in Grazing District No. 3, Colorado, be modified and made subject to the withdrawal effected by this order.

SAN LUIS VALLEY PROJECT, COLORADO

New Mexico Principal Meridian

Township 32 North, Range 8 East, N. M. P. M.,
 Colorado,
 Sec. 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Township 33 North, Range 8 East,
 Sec. 1, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 2, NE $\frac{1}{4}$, W $\frac{1}{2}$;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 20, All;
 Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 31, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$.

Respectfully,

JOHN C. PAGE,
 Commissioner.

I concur, June 11, 1941.

R. H. RUTLEDGE,
 Director, Grazing Service.

I concur, June 17, 1941.

FRED W. JOHNSON,
 Commissioner, General Land
 Office.

June 23, 1941.

The foregoing recommendation is hereby approved and the Commissioner of the General Land Office will cause the records of his office and the local land office to be noted accordingly.

W. C. MENDENHALL,
 Acting Assistant Secretary.

[F. R. Doc. 41-4660; Filed, June 30, 1941;
 10:02 a. m.]

DEPARTMENT OF COMMERCE.

Civil Aeronautics Authority.

[Docket No. 320]

IN THE MATTER OF THE PETITION OF UNITED
 AIR LINES TRANSPORT CORPORATION FOR
 AMENDMENT OF ITS CERTIFICATE OF PUBLIC
 CONVENIENCE AND NECESSITY UNDER
 SECTION 401 (h) OF THE CIVIL AERO-
 NAUTICS ACT OF 1938, AS AMENDED

NOTICE OF HEARING¹

The above-entitled proceeding, being the application of United Air Lines Transport Corporation for amendment of its existing certificate of public convenience and necessity for the route between Seattle, Washington and Vancouver, British Columbia, to include Bellingham, Washington, as an intermediate point, is assigned for public hearing on July 2, 1941 at 10:00 a. m. (Eastern Standard Time) in Room 7029B Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner John W. Belt.

Dated at Washington, D. C. June 28, 1941.

THOMAS G. EARLY,
 Secretary.

[F. R. Doc. 41-4639; Filed, June 30, 1941;
 9:51 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF HEARING ON MINIMUM WAGE
 RECOMMENDATION OF INDUSTRY COM-
 MITTEE NO. 27 FOR THE WOMEN'S
 APPAREL INDUSTRY

Whereas the Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to section 5 (b) of the Fair Labor Standards Act of 1938, on May 9, 1941, by Administrative Order No. 103, appointed Industry Committee No. 27 for the Women's Apparel Industry, com-

posed of an equal number of representatives of the public, employers in the industry and employees in the industry, such representatives having been appointed with due regard to the geographical regions in which the industry is carried on; and

Whereas Industry Committee No. 27, on June 11, 1941, recommended a minimum wage rate for the Women's Apparel Industry and duly adopted a report containing such recommendation and reasons therefor and filed such report with the Administrator on June 12, 1941, pursuant to section 8 (d) of the Act and § 511.19 of the Regulations issued under the Act; and

Whereas the Administrator is required by section 8 (d) of the Act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order the recommendation of Industry Committee No. 27 if he finds that the recommendation is made in accordance with law and is supported by the evidence adduced at the hearing before him, and taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of Section 8 of the Act; and, if he finds otherwise, to disapprove such recommendation;

Now, therefore, notice is hereby given that:

I. The recommendation of Industry Committee No. 27 is as follows:

Every employer shall pay not less than 40 cents per hour to each of his employees in the Women's Apparel Industry as defined in Administrative Order No. 103, dated May 9, 1941.

II. The definition of the Women's Apparel Industry as set forth in Administrative Order No. 103, issued May 9, 1941, is as follows:

The production of women's, misses', and juniors' dresses, washable service garments, blouses, and neckwear from woven or purchased knit fabric; women's, misses', children's and infants' underwear, nightwear, and negligees from woven fabric; corsets and other body supporting garments from any material; other garments similar to the foregoing; and infants' and children's outerwear.

The definition of the women's apparel industry covers all occupations in the industry which are necessary to the production of the articles specified in the definition including clerical, maintenance, shipping, and selling occupations: *Provided, however,* That such clerical, maintenance, shipping, and selling occupations when carried on in a wholesaling or selling department physically segregated from other departments of a manufacturing establishment, the greater part of the sales of which wholesaling or selling department are sales of articles which have been purchased for resale, shall not be deemed to be covered by

¹ Issued by the Civil Aeronautics Board.

this definition, and provided further that where an employee covered by this definition is employed during the same workweek at two or more different minimum rates of pay, he shall be paid the highest of such rates for such workweek unless records concerning his employment are kept by his employer in accordance with applicable regulations of the Wage and Hour Division.

III. The full text of the report and recommendation of Industry Committee No. 27, together with any dissenting statements which may be filed by a member subsequent to the date of this notice, are and will be available for inspection by any person between the hours of 9:00 A. M. and 4:30 P. M. at the following offices of the United States Department of Labor, Wage and Hour Division:

Boston, Massachusetts, 120 Boylston Street.

New York, New York, 341 Ninth Avenue.

Newark, New Jersey, 1004 Kinney Building, 790 Broad Street.

Philadelphia, Pennsylvania, 1216 Widener Building, Chestnut & Juniper Streets.

Pittsburgh, Pennsylvania, 219 Old Post Office Building, Fourth & Smithfield Streets.

Richmond, Virginia, 215 Richmond Trust Building, 627 East Main Street.

Baltimore, Maryland, 606 Snow Building, Calvert & Lombard Streets.

Raleigh, North Carolina, North Carolina Department of Labor, Salisbury & Edenton Streets.

Atlanta, Georgia, Fifth Floor, Witt Building, 249 Peachtree Street, N. E.

Columbia, South Carolina, Federal Land Bank Building.

Jacksonville, Florida, 456 New Post Office Building.

Birmingham, Alabama, 1007 Comer Building, 2nd Avenue & 21st Street.

New Orleans, Louisiana, 1512 Pere Marquette Building.

Jackson, Mississippi, 402 Deposit Guaranty Bank Building, 102 Lamar Street.

Nashville, Tennessee, 509 Medical Arts Building, 119 Seventh Avenue North.

Cleveland, Ohio, Main Post Office, West 3rd & Prospect Avenue.

Detroit, Michigan, 348 Federal Building.

Columbus, Ohio, 211 Rowlands Building.

Chicago, Illinois, 1200 Merchandise Mart, 222 West North Bank Drive.

Minneapolis, Minnesota, 406 Pence Building, 730 Hennepin Avenue.

Kansas City, Missouri, 504 Title & Trust Building, Tenth & Walnut Streets.

St. Louis, Missouri, 100 Old Federal Building.

Denver, Colorado, 300 Chamber of Commerce Building.

Dallas, Texas, 824 Santa Fe Building, 1114 Commerce Street.

San Francisco, California, Room 500, Humboldt Bank Building, 785 Market Street.

Los Angeles, California, 417 H. W. Hellman Building.

Seattle, Washington, 805 Post Office Building.

San Juan, Puerto Rico, Box 112 Post Office.

Washington, District of Columbia, Fourth Floor, Department of Labor.

Copies of the Committee's report and recommendation, together with any dissenting statements which may be filed by a member subsequent to the date of this notice, may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, Department of Labor, Washington, D. C.

IV. A public hearing will be held on July 28, 1941, before Mr. Henry T. Hunt, Principal Hearings Examiner of the Wage and Hour Division, United States Department of Labor, as presiding officer, at 10:00 A. M. in Room 3229 of the United States Department of Labor Building at Washington, D. C., for the purpose of taking evidence on the following questions:

1. Whether the recommendation of Industry Committee No. 27 shall be approved or disapproved; and

2. In the event an order is issued approving the recommendation, what, if any, prohibition, restriction, or regulation of homework in this industry is necessary to carry out the purposes of such order, to prevent the circumvention or evasion thereof, and to safeguard the minimum wage rate established therein.

V. Any interested person, supporting or opposing the recommendation of Industry Committee No. 27, may appear at the aforesaid hearing to offer evidence, either on his own behalf or on behalf of any other person; *Provided*, That not later than July 22, 1941, any such person shall file with the Administrator at Washington, D. C., a notice of his intent to appear which shall contain the following information:

1. The name and address of the person appearing.

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing.

3. Whether such person proposes to appear for or against the recommendation of Industry Committee No. 27.

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, Washington, D. C., and shall be deemed filed upon receipt thereof.

VI. Any person interested in supporting or opposing the recommendation of Industry Committee No. 27 may secure further information concerning the aforesaid hearing by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, Washington, D. C., or by consulting with

attorneys representing the Administrator who will be available for that purpose at the offices of the Wage and Hour Division in Washington, D. C.

VII. Copies of the following documents relating to the Women's Apparel Industry will be made available upon request for inspection by any interested person who intends to appear at the aforesaid hearing:

United States Department of Labor, Wage and Hour Division, Research and Statistics Branch, *Women's Apparel Industry*, June 1941.

United States Department of Labor, Wage and Hour Division, Research and Statistics Branch, *Competitive Conditions as Affected by Transportation Cost in the Apparel Industry*, June 1939.

United States Department of Labor, Bureau of Labor Statistics, *Estimated Intercity Differences in Costs of Living*, December 15, 1940.

United States Department of Labor, Bureau of Labor Statistics, *Monthly Labor Review*, July 1939. *Differences in Living Costs in Northern and Southern Cities*. Serial No. R-963.

United States Department of Labor, Bureau of Labor Statistics, *Changes in Cost of Living*, December 15, 1940. Serial No. R-1254.

VIII. The hearing will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Administrator or the Principal Hearings Examiner as are deemed appropriate:

1. The hearings shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, Department of Labor, Washington, D. C.

2. In order to maintain orderly and expeditious procedure, each person filing a Notice to Appear shall be notified, if practicable, of the approximate day and the place at which he may offer evidence at the hearing. If such person does not appear at the time set in the notice he will not be permitted to offer evidence at any other time except by special permission of the presiding officer.

3. At the discretion of the presiding officer the hearing may be continued from day to day, or adjourned to a later date, or to a different place, by announcement thereof at the hearing by the presiding officer, or by other appropriate notice.

4. At any stage of the hearing, the presiding officer may call for further evidence upon any matter. After the presiding officer has closed the hearing before him, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable no-

tice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

5. All evidence must be presented under oath or affirmation.

6. Written documents or exhibits, except as otherwise permitted by the presiding officer, must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof.

7. Written documents and exhibits shall be tendered in duplicate and the persons preparing the same shall be prepared to supply additional copies if such are ordered by the presiding officer. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the presiding officer the original document together with two copies of those portions of the document intended to be put in evidence. Upon presentation of such copies in proper form the copies will be received in evidence.

8. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing may be issued by the Administrator at his discretion, and any person appearing in the proceeding may apply in writing for the issuance by the Administrator of the subpoena. Such application shall be timely and shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

9. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear, and the Administrator before issuing subpoena may require a deposit of an amount adequate to cover the fees and mileage involved.

10. The rules of evidence prevailing in the courts of law or equity shall not be controlling.

11. The presiding officer may, at his discretion, permit any person appearing in the proceeding to cross-examine any witness offered by another person in so far as is practicable, and to object to the admission or exclusion of evidence by the presiding officer. Requests for permission to cross-examine a witness offered by another person and objections to the admission or exclusion of evidence shall be stated briefly with the reasons for such request or the ground of objection relied on. Such requests or objections shall become a part of the record, but this record shall not include argument thereon except as ordered by the presiding officer. Objections to the approval of the Committee's recommendation and to the promulgation of a wage

order based upon such approval must be made at the hearing before the presiding officer.

12. Before the close of the hearing, the presiding officer shall receive written requests from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matter in issue. These requests will be forwarded to the Administrator by the presiding officer with the record of the proceedings. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceedings, and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing will be given opportunity to present oral argument.

13. Briefs (12 copies) may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

14. On the close of the hearing the presiding officer shall forthwith file a complete record of the proceedings with the Administrator. The presiding officer shall not file an intermediate report unless so directed by the Administrator. If a report is filed, it shall be advisory only and have no binding effect upon the Administrator.

15. No order issued as a result of the hearing will take effect until after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 25th day of June 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-4669; Filed, June 30, 1941;
11:59 a. m.]

**NOTICE OF ORAL ARGUMENT BEFORE THE
ADMINISTRATION AND OPPORTUNITY TO
SUBMIT WRITTEN BRIEFS IN THE MATTER
OF THE RECOMMENDATION OF INDUSTRY
COMMITTEE NO. 26 FOR MINIMUM WAGE
RATES IN THE JEWELRY MANUFACTURING
INDUSTRY**

Whereas a public hearing was held on June 24, 1941, before Henry T. Hunt, Esquire, as presiding officer, at which all interested persons were given an opportunity to be heard and to offer evidence on the following questions:

1. Whether the recommendation of Industry Committee No. 26 should be approved or disapproved; and

2. In the event an order is issued approving the recommendation, what if any prohibition, restriction or regulation of home work in this industry is necessary to carry out the purpose of such order, to prevent the circumvention or evasion thereof and to safeguard the minimum wage rate established therein.

Now, therefore, notice is hereby given that the Administrator will receive briefs (not fewer than twelve copies) on or before July 8, 1941, at the Department of Labor, Washington, D. C., from any person who entered an appearance at such hearing, and will hear oral argument upon the complete record of said hearing on July 15, 1941, at 10:00 a. m., in Room 3229, Department of Labor Building, Fourteenth Street and Constitution Avenue, Washington, D. C., by any person who entered an appearance at said hearing, provided that on or before July 10, 1941, such person informs the Wage and Hour Division of his intention to offer oral argument and the amount of time he will require to make his presentation.

Signed at Washington, D. C., this 30th day of June 1941.

PHILIP B. FLEMING,
Administrator.

[F. R. Doc. 41-4668; Filed, June 30, 1941;
11:58 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective June 30, 1941.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Austin Industries, Inc., 100 Outwater Lane, Garfield, N. J.; Lamp Shades (Silk); 10 learners; 8 weeks for any one learner; 35 cents per hour; Lamp Shade Sewer; November 17, 1941.

Cambridge Hinge Tube and Chaplet Works, Inc., Main Street, Cambridge, New York; Hinge Tubes and Chaplets for the Foundry Industry; 3 learners; 4 weeks for any one learner; 25 cents per hour; Blanker, Bender, Swedger; July 31, 1941.

Hamilton Industries, 1319 S. Michigan Avenue, Chicago, Illinois; Parchment and Acetate Shades; 24 learners; 8 weeks for any one learner; 35 cents per hour; Machine Operators and Assemblers; November 17, 1941.

Hastings and Company, 819 Filbert Street, Philadelphia, Pennsylvania; Gold Leaf, Silver Leaf and Aluminum Leaf; 3 learners; 12 weeks for any one learner; 25 cents per hour; Gold Leaf Cutter and Booker; October 20, 1941.

Signed at Washington, D. C., this 30th day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-4666; Filed, June 30, 1941; 11:58 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS UNDER THE FAIR LABOR STANDARDS ACT OF 1938

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) and the Determination and Order or Regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order of September 20, 1940 (5 F.R. 3748).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective June 30, 1941. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Acme Leather Sportswear, Inc., 335 South Park Street, Elizabeth, New Jersey; Apparel; Jackets, Mackinaws; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Acme Leather Sportswear, Inc., 335 South Park Street, Elizabeth, New Jersey; Apparel; Jackets, Machinaws; 25 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Louis Bendet Company, 31 Wilkinson Avenue, Jersey City, New Jersey; Apparel; Ladies' Cotton Pajamas & Gowns; 5 percent (75% of the applicable hourly minimum wage); March 27, 1942.

The Black Manufacturing Company, 1130 Rainier Avenue, Seattle, Washington; Apparel; Denim Work Clothing, Work Shirts, Part Cotton Pants, Wool Outdoor Clothing; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Blue Ridge Shirt Manufacturing Company, Inc., 114 North Elk Avenue, Fayetteville, Tennessee; Apparel; Work Shirts; 150 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Brauer-Gressman Company, 814 Central Street, Kansas City, Missouri; Apparel; Shirts, Robes, Pants, Jackets; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

L. Brod & Company, 316 N. 12th street, Philadelphia, Pennsylvania; Apparel; Ladies' Blouses; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Calvin Clothing Company, Inc., 90 Hatch Street, New Bedford, Massachusetts; Apparel; Boys' Clothing; 5 percent (75% of the applicable hourly minimum wage); November 18, 1941.

Capital Pants Company, 1234 Carpenter Street, Philadelphia, Pennsylvania; Apparel; Single Cotton Pants; 10 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Colonial Togs, Legett and Clark Streets, Scranton, Pennsylvania; Apparel; Infants' & Children's Snowsuits; 40 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Dauphin Manufacturing Company, Elizabethtown, Pennsylvania; Apparel; Shirts; 30 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Dauphin Manufacturing Company, Elizabethtown, Pennsylvania; Apparel; Shirts; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Diehl Sewing Company, 135 S. George Street, York, Pennsylvania; Apparel; Boys' Wash Suits; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Frances Gee Garment Company, Richmond, Missouri; Apparel; Uni-

forms; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Frances Gee Garment Company, Richmond, Missouri; Apparel; Uniforms; 15 learners (75% of the applicable hourly minimum wage); October 27, 1941.

J. Freezer and Son, Inc., East Radford, Virginia; Apparel; Dress Shirts; 5 percent (75% of the applicable hourly minimum wage); November 1, 1941.

General Shirt Company, 2330 West Cermak Road, Chicago, Illinois; Apparel; Shirts; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Gottsegen and Kaufman, Inc., 76 Franklin Street, New Haven, Connecticut; Apparel; Trousers; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Greenberg and Delinsky, Broad and South Streets, Philadelphia, Pennsylvania; Apparel; Vests; 1 learner (75% of the applicable hourly minimum wage); June 30, 1942.

Hickey-Freeman Company, 1155 Clinton Avenue, North, Rochester, New York; Apparel; Men's Clothing; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Jabour Manufacturing Company, 8463½ S. Vermont Street, Los Angeles, California; Apparel; Children's Outerwear, Infants' Wear, Children's Robes, Washable Service Apparel; 12 learners (75% of the applicable hourly minimum wage); October 27, 1941.

K. & M. Manufacturing Company, 148 Middle Street, Portland, Maine; Apparel; Single Pants; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

S. Kantor Company, 31 S. 8th Street, Lebanon, Pennsylvania; Apparel; Ladies' Blouses; 5 percent (75% of the applicable hourly minimum wage); January 27, 1942.

Kay's Sportswear, 20 Cortlandt Street, New Brunswick, New Jersey; Apparel; Washable Garments; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Lansdale Clothing Company, Green and Blaine Streets, Lansdale, Pennsylvania; Apparel; Men's Pants; 62 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Lansdale Clothing Company, Green and Blaine Streets, Lansdale, Pennsylvania; Apparel; Men's Pants; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942. (This certificate replaces one issued for 5 learners effective October 15, 1940.)

S. Liebovitz and Sons, Inc., Roseto, Pennsylvania; Apparel; Men's Shirts; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Manhattan Shirt Company, Ann Street, South Norwalk, Connecticut; Apparel;

Men's Shirts; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Mickee Togs Corporation, 86 Shipman Street, Newark, New Jersey; Apparel; Children's Outerwear; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

The Miller Shirt Company, Inc., 21 Academy Avenue, Middletown, New York; Apparel; Shirts, Underwear, Sportswear; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Morgan Shirt Company, Morgantown, West Virginia; Apparel; Men's Shirts, Pajamas; 100 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Newark Embroidering Works, 78 Shipman Street, Newark, New Jersey; Apparel; Handkerchiefs; 9 learners (75% of the applicable hourly minimum wage); October 13, 1941.

Rice Stix Factory, No. 15, Lebanon, Missouri; Apparel; Overalls, Coveralls, Pants, Children's Play Garments; 50 learners (75% of the applicable hourly minimum wage); October 13, 1941.

A. Schreter and Sons, Inc., 16 S. Eutaw Street, Baltimore, Maryland; Apparel; Men's Neckwear; 15 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Secor Manufacturing Company, Inc., 435 Van Houton Avenue, Passaic, New Jersey; Apparel; Ladies' Slips and Underwear; 10 learners (75% of the applicable hourly minimum wage); December 31, 1941.

Sigal Sportswear, 55 Reed Street, South River, New Jersey; Apparel; Blouses and Dresses; 5 learners (75% of the applicable hourly minimum wage); June 30, 1942.

Smartly Klad Frocks, Inc., 58 Chamber Street and 35 Lander Street, Newburgh, New York; Apparel; Dresses; 10 learners (75% of the applicable hourly minimum wage); October 27, 1941.

C. F. Smith Company, 126 West Los Felis Boulevard, Glendale, California; Apparel; Cotton and Rayon Dresses; 10 learners (75% of the applicable hourly minimum wage); October 27, 1941.

Wales Shirt Company, 76 Franklin Street, New Haven, Connecticut; Apparel; Shirts; 12 learners; 75% of the applicable hourly minimum wage); October 8, 1941.

S. Weitz & Company, Incorporated, 3015 Pearl Avenue, Loraine, Ohio; Apparel; Men's Overcoats, Topcoats; 5 percent (75% of the applicable hourly minimum wage); June 30, 1942.

Van Raalte Company, Inc., 416 Main Street, Dunkirk, New York; Gloves; Knit Fabric Gloves; 250 learners; December 30, 1941.

Wells Lamont Smith Corporation, Beardstown, Illinois; Gloves; Work Gloves; 15 learners; December 30, 1941.

Aberdeen Hosiery Mills, Inc., Aberdeen, North Carolina; Hosiery; Full Fashioned Hosiery; 10 learners; February 28, 1942.

Bethayres Knitting Mills, Inc., Huntingdon Road, Bethayres, Pennsylvania; Hosiery; Full Fashioned Hosiery; 5 percent; June 30, 1942.

Lykens Hosiery Mills, Lykens, Pennsylvania; Hosiery; Seamless Hosiery; 5 learners; June 30, 1942.

Orange Knitting Mills, Inc., Orange, Virginia; Hosiery; Full Fashioned Hosiery; 10 learners; February 28, 1942.

Piedmont Hosiery Mill, Valley Street, Hickory, N. C.; Hosiery; Seamless Hosiery; 6 learners; February 28, 1942.

Supreme Hosiery Company, Jersey Shore, Pennsylvania; Hosiery; Full Fashioned Hosiery; 5 learners; February 28, 1942.

Vogue Manufacturing Corporation, Tappahannock, Virginia; Hosiery; Full Fashioned Hosiery; 12 learners; February 28, 1942.

Walls Hosiery Company 337 N. Walnut Street, North Wales, Pennsylvania; Hosiery; Full fashioned hosiery; 5 learners; February 28, 1942.

Yorkshire Hosiery Company, 213 N. 10th Street, Reading, Pennsylvania; Hosiery; Seamless Hosiery; 5 learners; June 30, 1942.

Best Manufacturing Company, Gainesville, Georgia; Textile; Silk, Nylon; 3%; June 30, 1942.

Blackstone Weaving Company, Church Street, Blackstone, Virginia; Textile; Broad Silks and Rayons; 15 learners; September 29, 1941.

Boysell Company, 118 E. Airline Avenue, Gastonia, N. C.; Textile; Bedspreads; Bath Mats; 5 percent; June 30, 1942.

Duplan Silk Corporation, Nanticoke, Pennsylvania; Textile; Cotton, Silk, Rayon, Synthetic; 3 percent; November 18, 1941.

Duplan Silk Corporation, Diamond Avenue, Hazleton, Pennsylvania; Textile; Cotton, Rayon, Silk, Synthetic; 3 percent; November 18, 1941.

Duplan Silk Corporation, Berwick, Pennsylvania; Textile; Cotton, Rayon, Silk, Synthetic, 3 percent; November 18, 1941.

Duplan Silk Corporation; Grottoes, Virginia; Textile; Cotton, Rayon, Silk, Synthetic; 3 percent; November 18, 1941.

Duplan Silk Corporation, Eley Street, Kingston, Pennsylvania; Textile; Cotton, Rayon, Silk, Synthetic; 3 percent; November 18, 1941.

Esther Mill Company, Lineberger Street, Shelby, North Carolina; Textile; Rayon Dress Goods and Novelties; 12 learners; September 29, 1941.

Lexington Silk Mills, Lexington, N. C.; Textile; Rayon; 175 learners; September 29, 1941.

Monroe Silk Mills, Stroudsburg, Pennsylvania; Textile; Ribbon Manufacturing; 3 percent; June 30, 1942.

Signed at Washington, D. C., this 30th day of June 1941.

GUSTAV PECK,
Authorized Representative
of the Administrator.

[F. R. Doc. 41-4667; Filed, June 30, 1941; 11:58 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket Nos. 5269, 5270, 5271, 5864]

NOTICE RELATIVE TO COLUMBIA BROADCASTING SYSTEM, INC. (WBT), ET AL

Application of Columbia Broadcasting System, Inc. (WBT), dated April 5, 1937, for construction permit; class of service, broadcast; class of station, broadcast; location, Charlotte, North Carolina; operating assignment specified: Frequency, 1110 kc.; power, 50 kw. (DA for night use); hours of operation, unlimited.

Application of KFAB Broadcasting Co. (KFAB), dated March 23, 1937, for construction permit; class of service, broadcast; class of station, broadcast; location, Lincoln, Nebraska; operating assignment specified: Frequency, 1110 kc.; power, 50 kw. (DA for night use); hours of operation, unlimited.

Application of Columbia Broadcasting System, Inc. (WBBM), dated April 6, 1937, for modification of license to change hours of operation; class of service, broadcast; class of station, broadcast; location, Chicago, Illinois; operating assignment specified: Frequency, 770 kc.; power, 50 kw.; hours of operation, unlimited.

Application of the Norfolk Daily News (WJAG), dated October 19, 1939, for C. P. to change frequency, hours of operation, and make changes in antenna system; class of service, broadcast; class of station, broadcast; location, Norfolk, Nebraska; operating assignment specified: frequency, 770 kc.; power, 1 kw. day; hours of operation, daytime; requests facilities (Frequency 770 kc.) now assigned to KFAB.

You are hereby notified that the Commission has designated the above-entitled matters for further hearing upon the following issues:

1. To determine what radiobroadcast service (primary and secondary) is available in the areas to which the service of Station WBBM (primary and secondary) is proposed to be extended.

2. To determine what radiobroadcast service (primary or secondary) is available in the areas to which the service of Station KFAB (primary and secondary) is proposed to be extended.

3. To determine what radiobroadcast service is available in the areas to which the service of Station WJAG is proposed to be extended.

4. To determine what radiobroadcast service (primary and secondary) other than that now furnished by Station WBT is available in the areas which would lose such service of Station WBT if the applications are granted.

5. To determine whether the proposed arrangements and relationships between Columbia Broadcasting System, Inc., and the licensees of Stations KFAB, KOIL and WJAG, respectively, would be consistent with the Commission's Rules and Regulations, particularly those adopted May 2, 1941 in Docket No. 5060.

The applications involved herein will not be granted by the Commission unless

the issues listed above are determined in favor of the applicants on the basis of a record duly and properly made by means of a formal hearing.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicants who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicants' addresses are as follows:

Columbia Broadcasting System, Inc., Radio Station WBT, 485 Madison Avenue, New York, N. Y.

KFAB Broadcasting Company, Radio Station KFAB, Lincoln Hotel, 9th and P Sts., Lincoln, Nebraska.

(Columbia Broadcasting System, Inc.), Radio Station WBBM, 410 North Michigan Ave., Chicago, Illinois.

The Norfolk Daily News, Radio Station WJAG, 116 North Fourth St., Hotel Norfolk, Norfolk, Nebraska.

Dated at Washington, D. C., June 26, 1941.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 41-4617; Filed, June 28, 1941;
11:05 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5665]

IN THE MATTER OF THE CONNECTICUT LIGHT
AND POWER COMPANY

ORDER CHANGING PLACE OF HEARING

JUNE 24, 1941.

It appearing to the Commission that:

(a) Hearing in the above-entitled proceeding has heretofore been set to commence July 7, 1941, at 9:45 a. m., in the Hearing Room of the Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C.;

(b) The convenience of the interested parties will be better served if the place of the hearing is changed to Hartford, Connecticut;

The Commission orders that: The place of the hearing be changed to the Court Room, in the Federal Building, Hartford, Connecticut, and the said hearing be held commencing July 7, 1941, at 9:45 a. m., Eastern Daylight Saving Time.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 41-4640; Filed, June 30, 1941;
9:52 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4492]

IN THE MATTER OF DISABLED AMERICAN
VETERANS OF THE WORLD WAR REHABILITATION
DEPARTMENT, A CORPORATION, AND
FRANK J. MACKEY, AND L. C. MAIER,
DANIEL C. MOORE AND ROBERT T.
MACKEY, INDIVIDUALLY, AND AS OFFICERS
OF DISABLED AMERICAN VETERANS OF THE
WORLD WAR REHABILITATION DEPARTMENT

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING
TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of June, A. D., 1941.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 USCA, section 41),

It is ordered, That John P. Bramhall, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Saturday, June 28, 1941, at nine o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 41-4619; Filed, June 28, 1941;
11:09 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-320]

IN THE MATTER OF NEW YORK STATE
ELECTRIC & GAS CORPORATION

SUPPLEMENTAL ORDER

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1941.

The Commission having heretofore, on June 9, 1941, entered its Findings and Opinion and Order herein granting exemption under section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the issuance and sale by New York State Electric & Gas Corporation of

First Mortgage Bonds in the principal amount of \$35,393,000, due 1971, and

120 shares Cumulative Preferred Stock, par value \$100 a share,

in accordance with the provisions of the application as amended, and allowing the declaration as amended with respect to the disposition of the proceeds thereof, and the accounting treatment with respect thereto, to become effective, subject however to the terms and conditions prescribed by Rule U-24 and to the following further conditions:

1. That the applicant obtain from the Public Service Commission of the State of New York a final order approving the issuance and sale of said securities in conformity with contracts for the purchase thereof, arrived at as a result of competitive bidding; such bidding to be conducted and such contracts to be executed in manner and form as described in the application and declaration, as amended;

2. That the applicant report to the Commission the results of the competitive bidding as required by Rule U-50 (c) and comply with such supplemental order as the Commission may enter in view of the facts disclosed thereby; and

The applicant having made a report to the Commission pursuant to Rule U-50 (c), setting forth its action taken to obtain competitive bids for the purchase of said securities, together with a copy of each proposal received, and having requested that the requirements of Rule U-50 be waived and relaxed to the extent hereinafter indicated; and

It appearing to the Commission that the applicant duly advertised for and on June 23, 1941 received bids in conformity with the provisions of Rule U-50 (b) and in conformity with the terms and conditions prescribed in the applicant's "Public Invitation for Proposals;" that the successful bidder for the Bonds was The Equitable Life Assurance Society, at a price of \$104.015 and a coupon rate of 3¼%, representing an annual cost of money to the company of approximately 3.04%; that no bids were received for the Preferred Stock; and that, since the sale of the bonds was conditioned upon the concurrent sale of the Preferred Stock, the applicant was unable to accept said bid on the Bonds; and

It further appearing that The Equitable Life Assurance Society is willing to stand committed on its bid for the Bonds for a reasonable length of time, conditioned upon the sale of the Preferred Stock within such time; and

It further appearing that, at the request of the applicant herein, the Public Service Commission of the State of New York has modified its Resolution with respect to the invitation of proposals for the purchase of said Preferred Stock to the extent of authorizing proposals at a price not less than par with an annual dividend rate not greater than 5¼%; and

The Commission finding that it will be in the public interest and in the interest of investors and consumers to waive the requirements of Rule U-50 with respect to the sale of the Bonds, and to relax the requirements of said Rule with respect to the sale of the Preferred Stock to the extent hereinafter provided;

It is therefore ordered:

1. That the applicant be and is hereby granted permission to sell the Bonds to The Equitable Life Assurance Society on the terms of its bid as aforesaid, subject to the sale of the Preferred Stock upon a reopening of competitive bidding with respect thereto;

2. That the applicant be and is hereby granted permission forthwith to reopen the competitive bidding for the purchase of the Preferred Stock by giving Public notice of such opportunity to bid not less than two days prior to the date for the reception and opening of the bids;

3. That the applicant obtain from the Public Service Commission of the State of New York a final order approving the issuance and sale of the Bonds to The Equitable Life Assurance Society as aforesaid, and also approving the issuance and sale of the Preferred Stock to the successful bidder at the reopened bidding;

4. That the applicant file a supplemental report herein as required by Rule U-50 (c), and comply with such further order as the Commission may enter in view of the facts disclosed thereby.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4628; Filed, June 28, 1941;
11:41 a. m.]

[File Nos. 70-314, 70-315, 59-21, 4-33]

IN THE MATTERS OF: UNITED GAS CORPORATION, UNITED GAS PIPE LINE COMPANY, HOUSTON GULF GAS COMPANY; ELECTRIC BOND AND SHARE COMPANY; ELECTRIC BOND AND SHARE COMPANY, ELECTRIC POWER & LIGHT CORPORATION, UNITED GAS CORPORATION, HOUSTON GAS SECURITIES COMPANY, UNITED GAS PIPE LINE COMPANY, HOUSTON GULF GAS COMPANY; INVESTIGATION OF ORGANIZATION AND FINANCING OF UNITED GAS CORPORATION, ETC.

ORDER DENYING INTERVENTION BUT PERMITTING LIMITED PARTICIPATION IN HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1941.

A petition for leave to intervene herein pursuant to Rule XVII of the Rules of Practice of the Securities and Exchange Commission having been filed on June 14, 1941 by Milton Paulson, Esq. on behalf of William Weinberger, the owner and holder of 150 shares of the common stock

of the United Gas Corporation; and the Commission having considered said petition and the allegations contained therein;

It is ordered, That said petition be, and the same hereby is, denied, without prejudice, however, to the right of the petitioner to renew his application for leave to intervene in these proceedings at a future date;

It is further ordered, That said William Weinberger be entitled to participate herein, in person or by counsel, to the extent of cross-examining witnesses, adducing evidence, filing briefs, and making oral argument, as to (1) the facts and circumstances concerning interest payments during the past four years on the indebtedness stated to be owing by United Gas Corporation to Electric Bond and Share Company, and (2) the feasibility of financing or refunding such indebtedness during the past four years at a lower interest rate: *Provided, however*, That said William Weinberger file an affidavit as required by section (b) of Rule XVII of the Rules of the Securities and Exchange Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4629; Filed, June 28, 1941;
11:41 a. m.]

[File No. 54-23]

IN THE MATTER OF THE UNITED ILLUMINATING TRUST AND THE ILLUMINATING SHARES COMPANY

ORDER RELEASING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1941.

The Commission having reserved jurisdiction as to all fees and expenses in connection with the foregoing matter, by its order of August 15, 1940, approving a plan of corporate simplification pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935; and

The Illuminating Shares Company, now in dissolution, having filed an appropriate post-amendment giving in detail the amounts of said fees and expenses, together with information supporting said fees and expenses; and

The Commission having examined the matter and having found such fees and expenses to be not unfair and not unreasonable:

It is ordered, That jurisdiction as to such fees and expenses be and the same is hereby released.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4632; Filed, June 28, 1941;
11:42 a. m.]

[File No. 31-510]

IN THE MATTER OF MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY

ORDER GRANTING EXEMPTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1941.

Massachusetts Mutual Life Insurance Company having filed an application pursuant to section 3 (a) (4) of the Public Utility Holding Company Act of 1935 for an order exempting it from the provisions of said Act; a hearing having been held thereon after appropriate notice; and the Commission having considered the record of said hearing and made findings based thereon:

It is hereby ordered, that Massachusetts Life Insurance Company be and it is hereby exempted for a period of six months from the date hereof from all of the provisions of said Act applicable to holding companies or to registered holding companies by reason of its ownership of ten per centum or more of the voting securities of Indiana Gas & Chemical Corporation; said Massachusetts Mutual Life Insurance Company shall, however, be subject to all provisions of said Act applicable to "any person" or to "an affiliate."

It is further ordered, That the jurisdiction of this Commission be and the same is hereby reserved for the purpose of entering such further orders as may from time to time be deemed appropriate.

By the Commission

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4630; Filed, June 28, 1941;
11:41 a. m.]

[File No. 1-1120]

IN THE MATTER OF ARCTURUS RADIO TUBE COMPANY, \$1 PAR VALUE COMMON STOCK

ORDER SETTING HEARING ON APPLICATION TO STRIKE FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 27th day of June, A. D. 1941.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$1 Par Value Common Stock of Arcturus Radio Tube Company; and

The Commission deeming it necessary for the protection of investors that a hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Tuesday, July 15, 1941, at the office of the Securities & Exchange Commission, 120 Broad-

way, New York City, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Adrian C. Humphreys, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4631; Filed, June 28, 1941;
11:41 a. m.]

[File No. 31-505]

IN THE MATTER OF INTERNATIONAL PAPER COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of June, A. D. 1941.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on August 6, 1941, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before August 1, 1941.

The matter concerned herewith is in regard to an application pursuant to section 2 (a) (3) of said Act for an order

declaring International Paper Company not to be an electric utility company for the purposes of said Act.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4662; Filed, June 30, 1941;
11:36 a. m.]

[File Nos. 70-338, 70-326, 54-22]

IN THE MATTER OF COMMONWEALTH UTILITIES CORPORATION, AND THE ARIZONA POWER CORPORATION; AND NORTH AMERICAN GAS & ELECTRIC COMPANY, AND WASHINGTON GAS AND ELECTRIC COMPANY, ET AL.

NOTICE OF AND ORDER FOR HEARING AND CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 28th day of June, A. D. 1941.

A joint declaration having been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the Commonwealth Utilities Corporation, a registered holding company, and The Arizona Power Corporation, a subsidiary thereof; and

Such declaration concerning the following:

1. Arizona Power Corporation proposes to sell to a transferee of Washington Gas and Electric Company, a registered holding company, not affiliated with Arizona Power Corporation, all of the physical properties, franchises, intangible assets and other assets of The Arizona Power Corporation;

2. The Arizona Power Corporation proposes to purchase and Commonwealth Utilities Corporation proposes to sell 200 shares of Arizona Power Corporation's \$6.00 preferred stock;

3. Arizona Power Corporation proposes to redeem 11,837½ shares of its \$6.00 preferred stock; and

4. Arizona Power Corporation proposes to dissolve as soon as possible after the completion of the above-mentioned transactions. Arizona Power Corporation states that it is the intent and purpose of the agreement of sale entered into with Washington Gas and Electric Company that the sale of assets of the Arizona Power Corporation shall be for a price which will be sufficient for Arizona Power Corporation to pay to the holders of its common capital stock on dissolution the amount of \$81.50 per share; and

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to said declaration and that said declaration shall not become effective except pursuant to further order of the Commission and that at said hearing there be considered among other things the various matters hereafter set forth; and

The Commission having on the 6th day of June, 1941 ordered a hearing with respect to an application under section 11 (e) of said Act filed by North American Gas and Electric Company, Washington Gas and Electric Company, and others, which application requests approval of a plan of reorganization of Washington Gas and Electric Company, and includes the proposed acquisition by a transferee of Washington Gas and Electric Company of the physical properties, franchises and other assets of Arizona Power Corporation; and

The Commission having by said order of June 6, 1941 instituted a proceeding against North American Gas and Electric Company, Washington Gas and Electric Company, and others, under section 11 (b) of said Act, and having directed in said order that the hearing on such proceeding pursuant to section 11 (b) be consolidated with the hearing on the aforesaid application under section 11 (e) of North American Gas and Electric Company, Washington Gas and Electric Company, and others; and

It appearing to the Commission that the proceedings heretofore set for hearing with reference to North American Gas and Electric Company, Washington Gas and Electric Company, and others, under sections 11 (b) and 11 (e) of said Act, and the proceedings upon the joint declaration of Commonwealth Utilities Corporation and Arizona Power Corporation involve common questions of the law and fact:

It is ordered, That a hearing on the joint declaration of Commonwealth Utilities Corporation and Arizona Power Corporation under the applicable provision of said Act and the Rules of the Commission thereunder be held on July 7, 1941 at 10:00 A. M. at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk will advise as to the room where such hearing will be held. At such hearing cause shall be shown why said declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it shall preside at the hearing in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act, and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That the hearing with respect to the joint declaration filed by Commonwealth Utilities Corporation and Arizona Power Corporation be consolidated with the hearing heretofore called by the Commission's order of June 6, 1941, with reference to the proceedings involving North American Gas and Electric Company, Washington Gas and Electric Company, and others, under sections 11 (b) and 11 (e) of said Act, in so far as such proceedings relate to Arizona Power Corporation.

It is further ordered, That at such hearing, without limiting the scope of the issues presented by said joint declaration, particular attention will be directed to the following:

(1) The reasonableness of the consideration proposed to be received by The Arizona Power Corporation for the assets proposed to be sold;

(2) The reasonableness of fees, commissions, and other remunerations to be paid, directly or indirectly;

(3) The reasonableness of the price to be paid by The Arizona Power Corporation to Commonwealth Utilities Corporation for the preferred stock proposed to be acquired;

(4) The method of determination and the reasonableness of the price to be paid by The Arizona Power Corporation for the shares of its common stock held by Commonwealth Utilities Corporation;

(5) The advisability of entering any order or orders pursuant to section 12 (f) of the Act with respect to any of the transactions proposed to be had between The Arizona Power Corporation and Commonwealth Utilities Corporation; and

(6) Whether the terms and conditions of the proposed transactions are detrimental to the public interest or the interests of investors or consumers, or will tend to circumvent the provisions of the Act, or the rules, regulations, or orders thereunder; and the extent to which terms and conditions should be imposed to insure adequate protection for such interests and compliance with the applicable provisions of the Act.

It is further ordered, That any person proposing to intervene in these proceedings shall file with the Secretary of the Securities and Exchange Commission on or before the 3rd day of July, 1941 his application therefor as provided by Rule XVII of the Rules of Practice.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4663; Filed, June 30, 1941;
11:36 a. m.]

[File No. 70-340]

IN THE MATTER OF INTERNATIONAL UTILITIES CORPORATION, GENERAL WATER GAS & ELECTRIC COMPANY, AND CALIFORNIA WATER SERVICE COMPANY

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 30th day of June, A. D. 1941.

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by the above-named party or parties; and

Notice is further given that any interested person may, not later than July 10, 1941 at 4:45 p. m., E. S. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transaction as provided in Rule U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D. C.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

International Utilities Corporation, a registered holding company, proposes to loan the sum of \$385,700 to its subsidiary, General Water Gas & Electric Company, also a registered holding company; such loan is to be evidenced by a 3-year 4% promissory note, and is to be secured by the pledge of \$385,700 principal amount of Twenty-Year 5% Mortgage Bonds, due 1955, of Rockland Gas Co., Inc., a

subsidiary company. General Water Gas & Electric Company then proposes to use the amount of \$385,700, which it will receive by virtue of the loan from International Utilities Corporation, together with funds presently in its treasury and funds to be secured through the sale of certain marketable securities which it now owns, for the purpose of purchasing 20,000 shares of the Common Stock, \$25 par value, of a subsidiary company, California Water Service Company, at a price of \$25 per share, or an aggregate consideration of \$500,000.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4664; Filed, June 30, 1941;
11:51 a. m.]

[File No. 70-320]

IN THE MATTER OF NEW YORK STATE ELECTRIC & GAS CORPORATION

ORDER CORRECTING ORDER OF THE COMMISSION ISSUED JUNE 27, 1941

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 28th day of June, A. D. 1941.

It appearing to the Commission that a typographical error was made in line 8, page 1, of the Supplemental Order entered herein on June 27, 1941, in that the number of shares of Cumulative Preferred Stock to be issued and sold by New York State Electric & Gas Corporation is stated to be "120" shares instead of 120,000 shares;

It is ordered, That such Supplemental Order be and it hereby is corrected and amended by striking out said figure "120" appearing in line 8, page 1 thereof, and substituting therefor the figure "120,000".

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 41-4665; Filed, June 30, 1941;
11:51 a. m.]

